

**SEVENTY-THIRD DAY**

(Friday, June 3, 1955)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Willis
McDonald	

Absent—Excused

Weinert

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"Our Father, in the battle of life, we wrestle not against flesh and blood, but powers of spiritual wickedness in high places. Give us courage to be good soldiers, and when the battle is over to say with Thy servant of old; 'I have fought a good fight, I have kept the faith.' For Christ's sake. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**Leave of Absence**

Senator Weinert was granted leave of absence for today on account of important business on motion of Senator Lock.

**Message from the House**

Hall of the House of Representatives,  
Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to

inform the Senate that the House has passed the following:

The House has granted the request of the Senate for the appointment of a conference committee on S. B. No. 134.

The House has appointed the following committee under the terms of S. C. R. No. 7: White, Stilwell.

S. B. No. 116, A bill to be entitled "An Act fixing the maximum rate of tax to be levied for maintenance purposes in school districts in Texas to an amount not to exceed One Dollar and Fifty Cents (\$1.50) on the One Hundred Dollars (\$100.00) property valuation; providing for a vote of the people before such tax may be levied; providing for the issuance of bonds for the purchase, construction, repair, or equipment of public free schools not to exceed ten per cent (10%) of the total tax valuation of the district; and providing that said districts may levy ad valorem taxes in an amount sufficient to pay the interest on and principal of all bonds heretofore issued or heretofore voted but unissued, or hereafter issued for such purpose; providing for a vote of the people before such bonds may be issued or such tax rates levied; repealing Senate Bill No. 373, Acts 1947, 50th Legislature, Chapter 314, page 534 (Article 2784e); and repealing all laws and parts of laws in conflict in so far as they are in conflict; and declaring an emergency."

(With amendments.)

H. C. R. No. 188, Directing the Enrolling Clerk of the House to make certain corrections in House Bill No. 666.

H. C. R. No. 189, Authorizing the Enrolling Clerk of the House to amend the caption of House Bill No. 77, to conform to the body of the bill.

H. C. R. No. 170, Granting permission to the Medical Professional Building Corporation of Corpus Christi, Texas, to sue the State of Texas and the Texas State Highway Commission.

Respectfully submitted,

DOROTHY HALLMAN,

Chief Clerk, House of Representatives

**Reports of Standing Committees**

Senator Colson submitted the following report:

Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Education, to whom was referred H. B. No. 720, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLSON, Chairman.

Senator Kazen submitted the following reports:

Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 440, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Vice-Chairman.

Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 288, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Vice-Chairman.

Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 20, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Vice-Chairman.

Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred H. B. No. 447, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Vice-Chairman.

Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 42, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Vice-Chairman.

Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 443, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Vice-Chairman.

Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 407, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Vice-Chairman.

Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 93, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Vice-Chairman.

Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 451, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Vice-Chairman.

Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred H. B. No. 301, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Vice-Chairman.

Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 396, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Vice-Chairman.

Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 338, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Vice-Chairman.

Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 158, have had the same under consideration, and we are instructed to report it back to the Senate with the

recommendation that it do not pass, and be not printed, but that Committee Substitute therefor do pass and be printed.

KAZEN, Vice-Chairman.

C. S. S. B. No. 158 was read first time.

Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 115, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

KAZEN, Vice-Chairman.

Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 53, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

KAZEN, Vice-Chairman.

Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 452, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

KAZEN, Vice-Chairman.

Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 89, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, and be not printed, but that Committee Substitute in lieu thereof do pass and be printed.

KAZEN, Vice-Chairman.

C. S. S. B. No. 89 was read first time.

Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 442, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, and be not printed, but that Committee Substitute therefor do pass and be printed.

KAZEN, Vice-Chairman.

C. S. S. B. No. 442 was read first time.

#### Bills Ordered Not Printed

On motion of Senator Hardeman and by unanimous consent, Senate Bills Nos. 440, 288, 20, 42, 443, 407, 93, 451, 396, 338, 115, 53, 452, 89, 442 and House Bills Nos. 447 and 301 were ordered not printed.

(President in Chair.)

#### House Concurrent Resolution 181 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 181, Extending congratulations and birthday greetings to Mrs. Miriam A. Ferguson.

The resolution was read the second time.

On motion of Senator Aikin and by unanimous consent, the resolution was considered immediately.

On motion of Senator Hardeman and by unanimous consent, the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was then adopted.

#### House Concurrent Resolution 189 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 189, Authorizing the

Enrolling Clerk of the House to amend the caption of House Bill No. 77, to conform to the body of the bill.

The resolution was read the second time and was adopted.

#### House Concurrent Resolution 185 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 185, Commending the citizens of Salado, Texas.

The resolution was read the second time and was adopted.

#### House Concurrent Resolution on First Reading

The following resolution, received from the House, was read first time and referred to the committee indicated:

H. C. R. No. 170, To the Committee on Civil Jurisprudence.

#### House Bill 363 on Third Reading

Senator Parkhouse asked unanimous consent to suspend the regular order and take up H. B. No. 363 on its third reading.

There was objection.

Senator Parkhouse then moved to suspend the regular order and take up H. B. No. 363 on its third reading.

The motion prevailed by the following vote:

Yeas—24

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
McDonald	

Nays—2

Martin	Willis
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**Absent**

Fly Phillips  
Kazen Wagonseller

**Absent—Excused**

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The President laid before the Senate on its third reading the following bill:

H. B. No. 363, A bill to be entitled "An Act to amend Article 2529, Revised Civil Statutes of Texas, 1925, as amended by providing that certain revenue bonds issued by certain cities may be pledged with the State Treasurer as collateral for deposit of state funds, and declaring an emergency."

The bill was read the third time and was passed.

**House Bill 434 Re-referred**

On motion of Senator Martin and by unanimous consent, H. B. No. 434 was withdrawn from the Committee on Finance and re-referred to the Committee on Counties and County Boundaries.

**House Concurrent Resolution 160 Re-referred**

On motion of Senator Secrest and by unanimous consent, H. C. R. No. 160 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Counties and County Boundaries.

**Senate Resolution 425**

Senator Wagonseller offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate, Mr. and Mrs. I. B. Wagonseller and daughters, Roulene and Becky, of Bowie, Texas; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Wagonseller, by unanimous consent, presented the guests to the Members of the Senate.

**House Bill 101 on Second Reading**

On motion of Senator Bracewell and by unanimous consent, H. B. No. 101 was Called from the Table for consideration at this time on its second reading. (The bill having been read the second time on Thursday, May 5, 1955 amended, and Laid on the Table Subject to Call.)

Question—Shall H. B. No. 101 be passed to third reading?

(Senator Hardeman in Chair.)

Senator Bracewell offered the following amendment to the bill:

Amend House Bill 101 by striking out the last two (2) sentences of Section 1 on page 2 of said bill beginning at line 21 and substituting in lieu thereof the following:

"Venue for such suit shall be exclusive and continuing in the court which originally granted the divorce, and no other court shall have jurisdiction or venue to hear and determine such suit except as provided herein. In all cases the respondent may move the court originally granting the divorce to transfer the case to the county of his or her residence and the court originally granting the divorce may so order a transfer to the residence of respondent if in the opinion of the court a hardship would be avoided."

The amendment was adopted by the following vote:

**Yeas—17**

Aikin	Owen
Bracewell	Parkhouse
Fly	Roberts
Fuller	Rogers of Travis
Kazen	Secrest
Kelley	Shireman
McDonald	Wagonseller
Moffett	Willis
Moore	

**Nays—10**

Ashley	Martin
Corbin	Ratliff
Hardeman	Rogers
Lane	of Childress
Latimer	Strauss
Lock	

**Absent**

Colson Phillips  
Hazlewood

**Absent—Excused**

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On motion of Senator Bracewell and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill, as amended, was passed to third reading.

#### Record of Votes

Senators Lane, Aikin, Ashley, Latimer and Hardeman asked to be recorded as voting "nay" on the passage of H. B. No. 101 to third reading.

#### Motion to Place House Bill 101 on Third Reading

Senator Bracewell moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 101 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

#### Yeas—14

Bracewell	Moore
Fly	Owen
Fuller	Parkhouse
Kazen	Roberts
Kelley	Rogers of Travis
McDonald	Shireman
Moffett	Willis

#### Nays—12

Aikin	Ratliff
Ashley	Rogers
Corbin	of Childress
Hardeman	Secrest
Lane	Strauss
Latimer	Wagonseller
Lock	

#### Absent

Colson	Martin
Hazlewood	Phillips

#### Absent—Excused

Weinert

#### Bills and Resolutions Signed

The President signed in the presence of the Senate, after the captions had been read, the following enrolled bills and resolutions:

S. B. No. 323, A bill to be entitled "An Act amending Article 3918, Revised Civil Statutes, 1925, as amended by Chapter 13, Acts 49th Legislature,

1945, providing for an increase in the amount of certain fees; declaring an emergency and fixing the effective date."

S. B. No. 57, A bill to be entitled "An Act authorizing and directing the Board for Texas State Hospitals and Special Schools, acting by the Executive Director thereof, to execute and deliver to the State Highway Commission of Texas a right-of-way easement to certain land in Smith County, Texas, for the construction, reconstruction and maintenance of a state highway extending along or across certain state property known as East Texas Tuberculosis Hospital, and declaring an emergency."

S. C. R. No. 73, Requesting Texas Legislative Council to study the transportation of migrant workers.

S. B. No. 254, A bill to be entitled "An Act requiring the taking of a course in history, ideals, and traditions of the American way of life by every person receiving a degree from any state supported College or University; and declaring an emergency."

H. C. R. No. 176, Requesting the return of H. B. No. 899 from the Governor's office for correction.

H. C. R. No. 174, Recalling H. B. 662 from the Governor's desk.

H. C. R. No. 125, House Concurrent Resolution requesting the Texas Legislative Council to study the laws of this State relating to the duties and compensation of city and county officers.

H. C. R. No. 120, Requesting the Texas Legislative Council to make a study of the Texas tax structure.

H. C. R. No. 24, Instructing the Texas Education Agency to coordinate and complete studies now under way by The Texas Research League and the County Superintendent's Association and other interested groups, and to recommend to the Fifty-fifth Legislature specific legislation describing the future role of county school superintendents and ex officio county school superintendents, etc.

H. C. R. No. 132, Granting an easement for sanitary sewer line purposes, to the City of Austin.

H. C. R. No. 152, Requesting the Texas Legislative Council to study all

special funds and accounts within the State Treasury and all local and agency funds outside the Treasury, and the dedication of State revenues.

#### Reports of Standing Committees

Senator Fly, by unanimous consent, submitted the following report:

Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. C. R. No. 160, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

FLY, Chairman.

Senator Ratliff, by unanimous consent, submitted the following report:

Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Institutions and Departments, to whom was referred S. B. No. 457, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

RATLIFF, Chairman.

Senator Fly, by unanimous consent, submitted the following report:

Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 434, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FLY, Chairman.

#### House Concurrent Resolution 157 on Second Reading

On motion of Senator Rogers of Travis and by unanimous consent, the President laid before the Senate on its second reading the following resolution:

H. C. R. 157, Granting Karroll's, Inc., permission to sue the State of Texas.

The resolution was read the second time and was adopted.

#### Senate Bill 457 Ordered Not Printed

On motion of Senator Lock and by unanimous consent, S. B. No. 457 was ordered not printed.

#### Senate Bill 128 on Second Reading

On motion of Senator Kazen and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 128, A bill to be entitled "An Act to revise and arrange certain statutes of this State relating to delinquent and dependent children, juvenile courts, detention homes, juvenile boards, juvenile officers and domestic relations courts into a consistent whole and under a single title, preserving the substantive law as it existed immediately prior to the passage of this Act; providing a severability clause; providing a savings clause; repealing certain statutes relating to delinquent and dependent children, juvenile courts, detention homes, juvenile boards, juvenile officers and domestic relations courts; and declaring an emergency."

The bill was read the second time.

Senator Kazen offered the following amendment to the bill:

Amend Section 1 of Senate Bill No. 128 to correct errors appearing in certain Articles thereof as follows:

(a) Art. 1.03, page 2. Insert the word "the" so that the following official's title shall read "the Executive Director of the State Parks Board"

(b) Art. 1.36 (d), page 9. Delete the comma following the word "parks" and substitute a hyphen so as to read "parks-maintenance"

(c) Art. 2.14 (b) (1) (iii), page 15. Substitute a semicolon for the period following "child"

(d) Art. 2.23 (a), page 17. Insert the word "in" following "placed" so as to read "placed in or committed to"

(e) Art. 2.24 (b) (2), page 18. Delete the word "to" in the second line so as to read "or the probation department"

(f) Art. 2.30 (b), page 19. Substitute "of" for "or" in the last line so as to read "order of commitment"

(g) Art. 3.01 (c), page 20. Substitute "or" for "of" so as to read "care or guardianship"

(h) Art. 3.10 (c), page 23. Insert the word "try" in the last line so as to read "jury to try the case"

(i) Art. 5.02 (e), page 31. Delete the words "or now provided by law" appearing in line 2 and substitute therefor "except section (d)"

(j) Art. 5.13 (c), page 36. Correct spelling of second word in second line so as to read "consists"

(k) Art. 5.15 (f) (2), page 38. Substitute word "defendant's" for "dependents"

(l) Art. 5.15 (f) (4), page 38. Substitute "eighteen (18)" for "sixteen (16)" appearing in third line

(m) Art. 5.15 (g), page 38. Insert comma after "criminal district courts" appearing as the first three words of the third line

(n) Art. 6.03 (c), page 40. Change "jurisdictions" to the singular "jurisdiction"

(o) Art. 6.52 (b), page 48. Substitute "of" for "or" so as to read "waivers of process"

The amendment was read and was adopted by the following vote:

## Yeas—24

Aikin	Moore
Bracewell	Owen
Colson	Parkhouse
Fuller	Phillips
Hazlewood	Roberts
Kazen	Rogers
Kelley	of Childress
Lane	Rogers of Travis
Latimer	Secrest
Lock	Shireman
Martin	Strauss
McDonald	Willis
Moffett	

## Nays—4

Corbin	Ratliff
Hardeman	Wagonseller

## Absent

Ashley	Fly
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## Absent—Excused

Weinert

Senator Lane offered the following amendment to the bill:

Amend S. B. 128, Art. 2.25 by deleting in the last sentence thereof the words:

"If no jury is demanded"

and inserting in lieu thereof the following:

"If the juvenile waives a jury by written consent,"

The amendment was adopted.

On motion of Senator Kazen, and by unanimous consent, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to engrossment.

### Motion to Place Senate Bill 128 on Third Reading

Senator Kazen moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 128 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

## Yeas—16

Bracewell	Moffett
Colson	Moore
Corbin	Owen
Fuller	Roberts
Kazen	Rogers of Travis
Kelley	Secrest
Latimer	Wagonseller
McDonald	Willis

## Nays—11

Aikin	Parkhouse
Hardeman	Ratliff
Hazlewood	Rogers
Lane	of Childress
Lock	Shireman
Martin	Strauss

## Absent

Ashley	Phillips
Fly	

## Absent—Excused

Weinert

### House Bill 434 Ordered Not Printed

On motion of Senator Latimer, and by unanimous consent, H. B. No. 434 was ordered not printed.

### House Concurrent Resolution 160 Ordered Not Printed

On motion of Senator Secrest, and by unanimous consent, H. C. R. No. 160 was ordered not printed.



**Senate Resolution 426**

Senator Hardeman offered the following resolution:

Whereas, John Ratliff, son of our distinguished colleague, Hon. David Ratliff, is a visitor in the Senate Chamber; and

Whereas, The services of this alert young American should be utilized by the Senate as an honorary page; now, therefore, be it

Resolved by the Senate of Texas, That John Ratliff be and he is hereby designated honorary page of the Senate for today.

HARDEMAN  
PARKHOUSE

The resolution was read and was adopted.

**Presentation of Guests**

On motion of Senator Lock, and by unanimous consent, Dan Collie, a former Reading Clerk of the Senate, was extended the greetings of the Senate and extended the privileges of the floor for the day.

**Message from the House**

Hall of the House of Representatives  
Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 360, A bill to be entitled "An Act providing for and fixing the salaries of the Justices of the Supreme Court and the Judges and the Commissioners of the Court of Criminal Appeals; repealing subsection (a) of Section 1 of Senate Bill No. 79, Acts of the Fifty-second Legislature, Regular Session, 1951, Chapter 386, (compiled as subsection (a) of Article 6819a-9, Vernon's Civil Statutes of Texas) and all other laws and parts of laws in conflict; and declaring an emergency."

(With amendments.)

H. B. No. 750, A bill to be entitled "An Act making it unlawful to falsely make or cause or procure to be falsely made, or in any manner aid, assist, advise, or encourage the false making of an annual statement of any insurance company, corporation, association, title insurance company, fraternal benefit society,

mutual life insurance company, local mutual aid association, state-wide mutual assessment company, mutual insurance company other than life, farm mutual insurance company, county mutual company, Lloyds, reciprocal or intra-insurance exchange, group hospital service or other insurer licensed to transact insurance business in this State; or any instrument in writing, document, title opinion, memorandum, paper, or book of accounts, relating or pertaining to the assets, liabilities, or the financial condition, affairs, or transactions of any such insurer, or relating or pertaining to the charter, or articles of association, or articles of agreement, or any amendment thereto of any such insurer, or relating or pertaining to the certificate of authority or any amended certificate of authority of any such insurer, or to submit or cause or procure to be submitted, or in any manner to aid, assist, advise or encourage the submission to the Board of Insurance Commissioners or any duly appointed examiner for the Board of Insurance Commissioners, a false annual statement of any such insurer, or any instrument in writing, document, title opinion, memorandum, paper, or book of accounts, relating or pertaining to the assets, liabilities, or the financial condition, affairs, or transactions of any such insurer, or relating or pertaining to the charter, articles of association, or articles of agreement, or any amendment thereto of any such insurer, or relating or pertaining to the certificate of authority or any amended certificate of authority of any such insurer, knowing the same to be false; providing for penalties for violations of the provisions of this Act; providing venue of any offenses under this Act; repealing all laws or parts of laws in conflict to the extent of such conflict; and declaring an emergency."

Respectfully submitted

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

**Conference Committee Report on  
House Bill 739**

Senator McDonald submitted the following Conference Committee Report on H. B. No. 739:

Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Hon. Jim Lindsey, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on H. B. No. 739, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form attached.

McDONALD  
ROBERTS  
OWEN  
SECREST  
MOORE

On the Part of the Senate.

WOOD of Smith  
CROSTHWAIT  
KIRKHAM  
BRYAN

On the part of the House.

H. B. No. 739:

A BILL  
TO BE ENTITLED

"An Act to amend Article 908, Chapter 6 of the Penal Code of Texas; creating a shooting resort; providing a license therefor; providing regulations for a shooting resort; providing a penalty; providing a saving clause; and declaring an emergency."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Article 908, Chapter 6 of the Penal Code of Texas be, and the same is hereby amended to read as follows:

"Article 908. Hunting on game preserves for pay.

"It is hereby declared unlawful for any person or persons who may be acting as manager of any club, or the owner of any club, or shooting resort or shooting preserve, or lessor of premises leased for hunting purposes, to receive or accommodate as guest or member of such club, or shooting resort, or shooting preserve, or lessee of premises leased for hunting purposes, for pay, any person or persons engaged in hunting, before such manager of such club, shooting resort, shooting preserve, or premises leased for hunting purposes, shall have applied for and received a license from the Game and Fish Commission, or one of its authorized agents, granting him the right for the year beginning September 1 and ending August 31, following, to receive and accom-

modate any such person or persons at such club, shooting resort, shooting preserve, or premises leased for hunting purposes.

"A 'shooting preserve' is defined as any premises leased for hunting purposes which is a separate, unconnected, and distinct tract of land with a continuous and unbroken boundary.

"A 'shooting resort' shall be defined as an area of not less than six hundred (600) acres that are contiguous to each other on which pen-raised fowls and/or imported game birds, banded and marked in accordance with the provisions of this Act, are released to provide hunting for members or guests authorized by the hunting laws of this State.

"A shooting resort shall be distinguished from any other club, shooting preserve, or leased premises for hunting purposes, by clearly marking the boundaries of said shooting resort with markers of a metal construction being at least eighteen (18) inches by twenty-four (24) inches in size and bearing the words 'Shooting resort licensed by the Game and Fish Commission of Texas.' 'Hunting by permit only.' The lettering on said markers to be of such size and proportions as will permit reading under ordinary conditions at two hundred (200) feet. These markers shall be placed around the perimeter of a shooting resort at a distance of not to exceed four hundred (400) feet from each other marker.

"Anyone operating a shooting resort shall be required to release a minimum of five hundred (500) quail annually or a minimum of five hundred (500) pheasant or chukar annually on each six hundred (600) acres of land licensed as a shooting resort. Each of said game birds so released shall be banded with a band carrying the permit number of the owner of said shooting resort and the band shall remain on the bird after it is killed and processed. Any individual operating a shooting resort shall within thirty (30) days of the close of the game season as hereinafter outlined release at least five per cent (5%) of the total number of killed birds from said area for the purpose of restocking same with game.

"There shall be issued one license for each shooting preserve and/or shooting resort in the manner prescribed in this Act.

"Before such license is issued, the person applying for a shooting preserve license shall pay to the Game

and Fish Commission the sum of Five Dollars (\$5). If the license applied for is a shooting resort license, the person shall pay to the Game and Fish Commission the sum of Ten Dollars (\$10). In each event the licensee shall file with the Game and Fish Commission the name of said club, shooting preserve or shooting resort and shall file with the Game and Fish Commission an affidavit that he will not violate any of the provisions of this Article and will endeavor to prevent guests of said club, shooting preserve, shooting resort or premises leased for hunting purposes from doing so and that no guests will be accommodated who have not previously secured a hunting license.

"All game birds that are released on said areas as above described shall be banded and in regard to quail, in addition to being banded, they shall also be marked by bleaching at least two (2) inches of the tip of the right wing.

"On said shooting resort or hunting areas that have been stocked by the owners with game birds such as quail, chukar and pheasant, or any other pen-raised fowl, the season for said preserves shall be on quail from November 1 to February 10 and the extended season applicable to quail on such preserves or hunting areas shall be only in respect to those quail that are so marked with a bleached wing. The pheasant, chukar and other pen-raised fowls and/or imported game birds, season on said preserves and hunting areas shall be October 1 to April 1.

"All managers of clubs, shooting resorts, shooting preserves, and premises leased for hunting shall be required to keep a suitable record book and each guest or member shall be required to register, showing his name and place of residence, license number, and a record of each day's kill of different birds and game, and a complete record must be made to the Game and Fish Commission by such manager of such club, shooting resort, shooting preserve, or premises leased for hunting purposes not later than May 1 of each year.

"Whenever any manager of any club, shooting resort, shooting preserve, or premises leased for hunting purposes, fails or refuses to comply with any of the provisions of this Section, the Game and Fish Commission or its authorized agent is authorized and empowered to cancel his license without refund or return of the

license fee, and no license shall be renewed or issued to such party, or parties, thereafter for a period of one (1) year.

"Any manager of any club, shooting resort, shooting preserve, or premises leased for hunting purposes who accommodates hunters for reward, without first having secured the necessary license as provided in this Section, or who shall fail to comply with any provisions of this Act or shall violate any provisions of this Act, shall be deemed guilty of a misdemeanor and upon conviction shall be fined the sum of not less than Twenty-five Dollars (\$25) nor more than Two Hundred Dollars (\$200), or by imprisonment in the county jail for not more than ninety (90) days, or by both such fine and imprisonment. Such fines shall be placed to the credit of the special game fund.

"For the purpose of carrying out the provisions of this Section, it shall be the duty of the Game and Fish Commission or its authorized agent to have prepared and to furnish all persons authorized by law to issue hunting and fishing licenses blank license with stubs attached, numbered serially, such license to be clearly marked 'shooting preserve license'—'shooting resort license.' It shall be the duty of the Game and Fish Commission or its authorized agent issuing said license to indicate the type of license issued and to collect the fee as provided in this Act; such shooting license shall have printed across the face the year for which it is issued, shall bear the name and address of the licensee, name of the club, shooting preserve or shooting resort, character of game found on such area and the expiration date of such license; said license must bear the seal of the Game and Fish Commission and must be signed by one of its authorized agents. On the reverse side of said license shall be printed the open seasons and bag limits as provided in this Chapter."

Section 2. All laws or parts of laws inconsistent with this Act, are hereby repealed.

Section 3. If any word, phrase, clause, sentence, paragraph or section of this Act shall be held invalid such holding shall not affect any word, phrase, clause, sentence, paragraph or section not so held invalid.

Section 4. The importance of this legislation and the fact that the present law makes inadequate provisions

in regard to the preservation and propagation of bird life and game birds, and the fact that no provisions are now operative for the propagation of game birds and pen-raised fowls, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The report was read and was adopted by the following vote:

## Yeas—25

Aikin	Moffett
Colson	Moore
Corbin	Owen
Fuller	Parkhouse
Hardeman	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Willis

## Nays—1

Bracewell

## Absent

Ashley	Phillips
Fly	Ratliff

## Absent—Excused

Weinert

#### Adoption of Conference Committee Report on House Bill 374

On motion of Senator Secrest and by unanimous consent, the President laid before the Senate the Conference Committee report on H. B. No. 374, the report having been submitted and read on yesterday and further consideration postponed until today.

The report was adopted by the following vote:

## Yeas—19

Bracewell	Moore
Colson	Parkhouse
Corbin	Roberts
Fly	Rogers
Fuller	of Childress
Hazlewood	Rogers of Travis
Kazen	Secrest
Kelley	Strauss
Lock	Wagonseller
Moffett	Willis

## Nays—7

Aikin	McDonald
Lane	Ratliff
Latimer	Shireman
Martin	

## Absent

Ashley	Owen
Hardeman	Phillips

## Absent—Excused

Weinert

#### Message from the Governor

The following message received from the Governor was read and was referred to the Committee on Nominations of the Governor:

Austin, Texas,  
June 3, 1955.

To the Senate of the Fifty-fourth Legislature.

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be members of the Board of Directors, Nueces River Conservation and Reclamation District:

For terms to expire February 1, 1957: Grady Mahaffey of Uvalde, Uvalde County; Harry Brown of San Antonio, Bexar County; Jon Tyner of Pearsall, Frio County; J. C. Oelkers of Carrizo Springs, Dimmit County; Mike Dillingham of Alice, Jim Wells County; W. G. Luce of Tilden, McMullen County; Blackstone Dilworth of Live Oak County;

For terms to expire February 1, 1959: L. J. Dean of Camp Wood, Real County; John M. Bennett, Jr., of San Antonio, Bexar County; Alvin Morris of Crystal City, Zavala County; John H. Stahl of Carrizo Springs, Dimmit County; M. L. Gaddis of Cotulla, La Salle County; C. Arthur Eggleston of Agua Dulce, Nueces County; Charles T. Troell, Jr., of Pleasanton, Atascosa County;

For terms to expire February 1, 1961: Claud Gilmer of Rocksprings, Edwards County; A. C. Tutt of Taft, San Patricio County; Ray Keck, Jr., of Cotulla, La Salle County; Frank Jostes of Tynan, Bee County; Henderson Coquat of Three Rivers, Live Oak County; Lon Hill of Corpus Christi, Nueces County; Joe Carper of Uvalde, Uvalde County.

To be a member of the Good Neighbor Commission to fill the unexpired

term of George Strake, resigned, term to expire June 19, 1957: Neville Penrose of Fort Worth, Tarrant County.

To be members of the State Board of Plumbing Examiners for six-year terms to expire May 28, 1961: Howard Barr of Austin, Travis County (architect), Charles K. Smith of Houston, Harris County (journeyman plumber).

To be a member of the Historical Survey Committee to succeed Dr. Carl Coke Rister, deceased: Mrs. L. E. Dudley of Abilene, Taylor County.

To be Judge of the 136th Judicial District Court (Jefferson County) effective September 1, 1955: Harold Clayton of Port Arthur, Jefferson County.

To be Judge of the 140th Judicial District Court (Lubbock County) effective 90 days after adjournment of the Legislature: Robert H. Bean of Lubbock, Lubbock County.

To be Judge of the 143rd Judicial District Court (Ward, Reeves, Loving Counties) effective 90 days after adjournment: J. H. Starley of Pecos, Reeves County.

To be District Attorney of the 143rd Judicial District, effective 90 days after adjournment: Thomas L. White of Monahans, Ward County.

To be Judge of the 153rd Judicial District Court (Tarrant County), effective 90 days after adjournment: Harold Craik of Fort Worth, Tarrant County.

To be Judge of the Second 38th Judicial District Court (Kerr, Bandera, Kimble, Gillespie Counties), effective 90 days after adjournment: Jim W. Weatherby of Kerrville, Kerr County.

To be District Attorney of the Second 38th Judicial District Court, effective 90 days after adjournment: M. C. Blackburn, Jr., of Junction, Kimble County.

Respectfully submitted,  
ALLAN SHIVERS,  
Governor of Texas.

#### Senate Bill 443 on Second Reading

On motion of Senator Martin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time

on its second reading and passage to engrossment:

S. B. No. 443, A bill to be entitled "An Act making an appropriation of the sum of Four Hundred and Twenty-five Thousand Dollars (\$425,000) or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to pay the contingent expenses, and to pay the per diem of officers and employees of the 54th Legislature and the mileage and per diem of members; to pay any unpaid accounts of the 53rd Legislature; and to pay any unpaid accounts or additional expenses of the Lieutenant Governor while acting as Governor; and declaring an emergency."

The bill was read second time and passed to engrossment.

#### Senate Bill 443 on Third Reading

Senator Martin moved that Senate Rule 32 and the constitutional rule requiring bills to be read on there several days be suspended and that Senate Bill No. 443 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—30

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secret
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Willis
McDonald	

#### Absent—Excused

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—30

Aikin	Bracewell
Ashley	Colson

Corbin	Owen
Fly	Parkhouse
Fuller	Phillips
Hardeman	Ratliff
Hazlewood	Roberts
Kazen	Rogers
Kelley	of Childress
Lane	Rogers of Travis
Latimer	Secrest
Lock	Shireman
Martin	Strauss
McDonald	Wagonseller
Moffett	Willis
Moore	

Absent—Excused

Weinert

#### Committee Substitute Senate Bill 89 on Second Reading

On motion of Senator Martin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C. S. S. B. No. 89, A bill to be entitled "An Act making appropriations to supplement the appropriations for retirement payments and refunds of contributions under the Judiciary Retirement System for the fiscal year ending August 31, 1955; and declaring an emergency."

The bill was read second time and passed to engrossment.

#### Committee Substitute Senate Bill 89 on Third Reading

Senator Martin moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that Committee Substitute Senate Bill No. 89 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Ashley	McDonald
Bracewell	Moffett
Colson	Moore
Corbin	Owen
Fly	Parkhouse
Fuller	Phillips
Hardeman	Ratliff
Hazlewood	Roberts
Kazen	Rogers
Kelley	of Childress
Lane	Rogers of Travis
Latimer	Secrest
Lock	Shireman

Strauss	Willis
Wagonseller	
Absent—Excused	
Weinert	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time.

Senator Kazen offered the following amendment to the bill:

Amend Committee Substitute for S. B. No. 89 by renumbering Sec. 6 thereof as Sec. 7 and by inserting between Secs. 5 and 7 a new section to be numbered 6 to read as follows:

Sec. 6. The sum of \$70,000, or so much thereof as may be necessary, is hereby appropriated from the General Revenue Fund, the same, together with the sums heretofore appropriated for such purpose by S. B. No. 140, to be used for the purpose of paying the salaries of the Chief Justice and Associate Justices of the Supreme Court and the Judges of the Court of Criminal Appeals and Commissioners in aid thereof as authorized and fixed by S. B. No. 360, and to be paid to such Justices, Judges and Commissioners in equal amounts and in equal monthly installments for and during the biennium beginning September 1, 1955, and ending August 31, 1957.

The amendment was adopted by the following vote:

Yeas—30

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Willis
McDonald	

Absent—Excused

Weinert

On motion of Senator Martin and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was finally passed by the following vote:

## Yeas—30

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Willis
McDonald	

## Absent—Excused

Weinert

## Message from the House

Hall of the House of Representatives  
Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the  
Senate.

Sir: I am directed by the House to  
inform the Senate that:

The House has adopted the Confer-  
ence Committee Report on House Bill  
No. 660 by a vote of 72 yeas, 67 nays,  
and 2 present not voting.

H. S. R. No. 437, Be It Resolved,  
That the Senate be requested to re-  
turn S. B. No. 360 to the House for  
correction.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

## Reports of Standing Committees

Senator Lane, by unanimous con-  
sent, submitted the following report:

Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the  
Senate.

Sir: We, your Committee on Civil  
Jurisprudence, to whom was referred  
H. C. R. No. 119, have had the same  
under consideration, and I am in-  
structed to report it back to the Sen-  
ate with the recommendation that it  
do pass, as amended, and be printed.

LANE, Chairman.

Senator Secrest, by unanimous con-  
sent, submitted the following report:

Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the  
Senate.

Sir: We, your Committee on Priv-  
ileges and Elections, to whom was re-  
ferred H. B. No. 360, have had the  
same under consideration, and we are  
instructed to report it back to the  
Senate with the recommendation that  
it do pass and be printed.

SECREST, Chairman.

Senator Lane, by unanimous con-  
sent, submitted the following report:

Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the  
Senate.

Sir: We, your Committee on Civil  
Jurisprudence, to whom was referred  
H. C. R. No. 177, have had the same  
under consideration, and we are in-  
structed to report it back to the Sen-  
ate with the recommendation that it  
do pass and be printed.

LANE, Chairman.

Request of House to Return S. B. No.  
360 Granted

On motion of Senator Kazen and  
by unanimous consent, the request of  
the House contained in H. S. R. No.  
437 was granted and the bill was or-  
dered returned to the House for cor-  
rection.

## Senate Bill 456 on Second Reading

On motion of Senator Lock, and by  
unanimous consent, the regular order  
of business was suspended to take up  
for consideration at this time on its  
second reading and passage to en-  
grossment:

S. B. No. 456, Making it unlawful  
to charge, collect, etc., usurious in-  
terest.

The bill was read second time.

Senator Martin offered the follow-  
ing amendment to the bill:

Amend S. B. 456 by adding a new  
section to be numbered Section 2A  
to read as follows:

"Section 2A. This Act shall be cu-  
mulative of all other laws of this  
state on this same subject."

The amendment was adopted.

On motion of Senator Martin, and  
by unanimous consent, the caption was

amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to engrossment.

#### Senate Bill 456 on Third Reading

Senator Lock moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 456 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Willis
McDonald	

Absent—Excused

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Willis
McDonald	

Absent—Excused

Weinert

#### Report of Standing Committee

Senator Kelley, by unanimous consent, submitted the following committee report:

Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred H. B. No. 928, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KELLEY, Chairman.

#### House Concurrent Resolution 177 Ordered Not Printed

On motion of Senator Secrest and by unanimous consent, H. C. R. No. 177 was ordered not printed.

#### Senate Bill 457 on Second Reading

On motion of Senator Lock and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 457, A bill to be entitled "An Act requiring every person, firm or corporation within this State, engaged in the business of making loans at interest, to file annually with the Secretary of State an affidavit stating that such person, firm or corporation has not, within the preceding year, made any loan in the principal sum of Two Hundred Dollars (\$200) or less for a greater rate of interest than ten per cent (10%) per annum; providing a penalty for the violation hereof; repealing all laws in conflict herewith; and declaring an emergency."

The bill was read second time and passed to engrossment.

#### Senate Bill 457 on Third Reading

Senator Lock moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 457 be placed on its third reading and final passage.

The motion prevailed by the following vote:



**Yeas—30**

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Willis
McDonald	

Absent—Excused

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—30**

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Willis
McDonald	

Absent—Excused

Weinert

**Recess**

On motion of Senator Fly, the Senate, at 12:26 o'clock p. m., took recess until 2:30 o'clock p. m. today.

**After Recess**

The President called the Senate to order at 2:30 o'clock p. m. today.

**Leave of Absence**

Senator Wagonseller was granted leave of absence for the remainder of the day on account of important business on motion of Senator Corbin.

**Message from the Governor**

The following message received from the Governor was read and filed with the Secretary of the Senate:

Austin, Texas,  
June 3, 1955.

To the Members of the Fifty-fourth Legislature.

I am vetoing and returning herewith House Bill No. 357 at the request of the author.

Respectfully submitted,  
ALLAN SHIVERS,  
Governor of Texas.

**Senate Bill 449 on Second Reading**

On motion of Senator Phillips and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 449, A bill to be entitled "An Act authorizing the Texas Prison Board to sell the Blue Ridge Prison Farm and to use the proceeds for the purchase of other lands and the construction of permanent improvements thereon; prescribing procedures and conditions for the sale of this property and the acquisition of new lands; requiring approval of certain acts by a board composed of the Governor, the Commissioner of the General Land Office, and the Chairman of the Texas Prison Board; making an appropriation; and declaring an emergency."

The bill was read second time and passed to engrossment.

**Senate Bill 449 on Third Reading**

Senator Phillips moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 449 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—25**

Aikin	Lock
Bracewell	Martin
Corbin	McDonald
Fly	Moffett
Fuller	Moore
Hazlewood	Owen
Kazen	Parkhouse
Lane	Phillips
Latimer	Ratliff

Roberts	Secrest
Rogers	Shireman
of Childress	Strauss
Rogers of Travis	Willis

## Nays—2

Colson	Hardeman
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Absent

Ashley	Kelley
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Absent—Excused

Wagonseller	Weinert
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

## Record of Vote

Senator Hardeman asked to be recorded as voting "nay" on the final passage of S. B. No. 449.

## House Bill 378 on Second Reading

On motion of Senator Shireman and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 378, A bill to be entitled "An Act authorizing the Game and Fish Commission to manage wildlife and/or fish on wildlife management areas along sound biological lines; including the authority to provide open and closed seasons and to prescribe bag limits, means, methods and conditions for taking same; providing for permits to hunt on such areas; making it unlawful to take wildlife or fish species taken from or attempt to take, or to possess at any area to which this Act applies at any time or in any numbers or by any means or under any conditions except as permitted by the Game and Fish Commission under the provisions of this Act; containing repealing, saving, penalty and emergency clauses."

The bill was read the second time.

Senator Shireman offered the following amendment to the bill:

Amend House Bill 378 by striking out Section 2 and substituting therefor the following:

"Sec. 2. The Game and Fish Commission shall have authority to pro-

hibit all hunting and fishing within or upon all lands named in Section 1 of this Act, for such period of time as may be necessary to safeguard any species of wildlife or fish found thereon; shall have authority from time to time, as sound biological management practices shall warrant, to prescribe open seasons for hunting and/or fishing therein, to prescribe the number, kind, sex and size of any wildlife and fish that may be taken therefrom or thereon, and to prescribe the means and methods for taking and the conditions under which any wildlife or fish species may be taken within such area."

The amendment was adopted.

Senator Shireman offered the following amendment to the bill:

Amend House Bill 378 by striking out Section 3 and substituting therefor the following:

"Sec. 3. Any special permit that may be issued for the hunting of wildlife species on any lands described in Section 1 of this Act shall be made available to applicants in such way as to give all applicants an impartial opportunity to obtain such a permit to the extent of the total number issued. The provisions of this section shall not be construed to waive the hunting license requirements as provided by law, but shall be cumulative thereof."

The amendment was adopted.

Senator Shireman offered the following amendment to the bill:

Amend House Bill 378 by striking out Section 4 and substituting therefor the following:

"Sec. 4. It shall be unlawful for any person to take or attempt to take any wildlife or fish species from, or to possess any wildlife or fish species taken from, any area to which this Act applies at any time, or in any numbers, or by any means, or under any conditions except as permitted by the Game and Fish Commission under the provisions of this Act."

The amendment was adopted.

On motion of Senator Shireman, and by unanimous consent, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to third reading.

**House Bill 378 on Third Reading**

Senator Shireman moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 378 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—22**

Aikin	Moffett
Bracewell	Moore
Colson	Owen
Corbin	Parkhouse
Fly	Phillips
Fuller	Roberts
Kazen	Rogers
Kelley	of Childress
Lane	Shireman
Latimer	Strauss
Martin	Willis
McDonald	

**Nays—3**

Hardeman	Ratliff
Lock	

**Absent**

Ashley	Rogers of Travis
Hazlewood	Secrest

**Absent—Excused**

Wagonseller	Weinert
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**Record of Vote**

Senator Hardeman asked to be recorded as voting "nay" on the final passage of H. B. No. 378.

**Senate Bill 452 on Second Reading**

On motion of Senator Strauss, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 452, A bill to be entitled "An Act to appropriate certain funds to the Texas Real Estate Commission for the purpose of carrying out the

provisions of Senate Bill No. 209, 54th Legislature, transferring the balance to the General Revenue Fund; and declaring an emergency."

The bill was read second time.

Senator Strauss offered the following committee amendment to the bill:

Amend S. B. No. 452 by striking out Section 1 and inserting in lieu thereof the following:

"Section 1. In addition to the monies appropriated to the Texas Real Estate Commission by the General Appropriation Bill, 54th Legislature, Regular Session, there is hereby appropriated the sum of \$40,000 during each year of the 1956-57 biennium for the purpose of paying office expense, travel expenses and salaries of employees as follows:

Out of the Real Estate License Fund, for each of the years ending August 31, 1956 and August 31, 1957:

Inspectors, 4 NTE \$4,800	\$19,200
Stenographers, 3 NTE \$2,610	7,830
Travel expense	8,000
Rent, printing, postage, telephone, telegraph, files and other equipment, etc.	4,970

Any monies appropriated herein may be transferred from one item to another wherein such transfer becomes necessary for the efficient operation of the Commission; provided, however, that no salaries or travel expense shall exceed those provided for in the General Appropriation Bill, 54th Legislature, Regular Session. Any balance of this amount remaining at the end of the 1956-57 biennium shall be transferred to the General Fund."

The committee amendment was adopted.

On motion of Senator Strauss, and by unanimous consent, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to engrossment.

**Motion to Place Senate Bill 452 on Third Reading**

Senator Strauss moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that

S. B. No. 452 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

Yeas—15

Aikin	Parkhouse
Bracewell	Phillips
Corbin	Roberts
Fuller	Rogers
Kazen	of Childress
Kelley	Secrest
Latimer	Strauss
Moffett	Willis

Nays—7

Ashley	McDonald
Fly	Moore
Hardeman	Owen
Lane	

Absent

Colson	Ratliff
Hazlewood	Rogers of Travis
Lock	Shireman
Martin	

Absent—Excused

Wagonseller	Weinert
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Presentation of Guest

Senator Rogers of Childress, by unanimous consent, presented Mr. Jack Preston of Childress to the Members of the Senate.

House Joint Resolution 39 on  
Second Reading

On motion of Senator Rogers of Travis, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. J. R. No. 39, Proposing an amendment to Article XVI of the Constitution of the State of Texas by adding thereto a new section to be known as Section 64, by providing that the Legislature shall be authorized to pay a pension to retired Texas Rangers who are not eligible to participate in the State Employees Retirement System.

The resolution was read second time and was passed to third reading.

Motion to Place House Joint  
Resolution 39 on Third Reading

Senator Rogers of Travis moved

that Senate Rules 32 and 45, and the constitutional rule requiring resolutions to be read on three several days be suspended and that H. J. R. No. 39 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

Yeas—19

Aikin	Owen
Ashley	Parkhouse
Bracewell	Ratliff
Corbin	Roberts
Fuller	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Latimer	Secrest
McDonald	Strauss
Moffett	Willis

Nays—8

Colson	Lock
Fly	Martin
Hardeman	Moore
Lane	Shireman

Absent

Hazlewood	Phillips
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Absent—Excused

Wagonseller	Weinert
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Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 360, An Act providing for and fixing the salaries of the Justices of the Supreme Court of the State of Texas and the Judges and Commissioners of the Court of Criminal Appeals.

(With amendments.)

The House has granted the request of the Senate for the appointment of a Conference Committee on S. B. No. 379.

The House has appointed the following conferees on S. B. No. 134: Heatly, Bell, Glusing, Pool, and Gillham.

The House has adopted the Con-

ference Committee report on S. B. No. 4 by a viva voce vote.

H. B. No. 967, A bill to be entitled "An Act making an appropriation of the sum of Four Hundred and Twenty-five Thousand Dollars (\$425,000) or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to pay the contingent expenses, and to pay the per diem of officers and employees of the 54th Legislature and the mileage and per diem of members; etc., and declaring an emergency."

H. C. R. No. 187, In memory of Richard W. "Dick" Burnett.

The House has adopted the Conference Committee report on House Bill No. 739 by viva voce vote.

The House reconsidered vote and refused to concur in Senate amendments to House Bill No. 290 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

The House has appointed the following conferees: Winfree, Yancy, Cole, Elliott, and Moore.

H. C. R. No. 190, Requesting the return of H. B. No. 888 from the Governor's desk to the House for correction.

The House has appointed the following conferees on S. B. No. 379: de la Garza, Kelly, Glass, Murphy, and Latimer.

Respectfully submitted,  
DOROTHY HALLMAN,  
Chief Clerk, House of Representatives.

#### House Bill on First Reading

The following bill received from the House was read first time and referred to the committee indicated:

H. B. No. 967, To the Committee on Counties and County Boundaries.

#### Conference Committee on House Bill 290

Senator Bracewell called from the President's table for consideration at this time, the request of the House for a conference committee to adjust the differences between the two Houses on H. B. No. 290 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following conferees on the bill on the part of the Senate: Senators Lane, Secrest, Kazen, Latimer and Bracewell.

#### Senate Bill 407 on Second Reading

Senator Hardeman asked unanimous consent to suspend the regular order of business and take up S. B. No. 407 for consideration at this time.

There was objection.

Senator Hardeman then moved to suspend the regular order of business and take up S. B. No. 407 for consideration at this time.

The motion prevailed by the following vote:

#### Yeas—23

Aikin	McDonald
Ashley	Moffett
Bracewell	Moore
Colson	Owen
Corbin	Parkhouse
Hardeman	Phillips
Hazlewood	Ratliff
Kelley	Roberts
Lane	Secrest
Latimer	Shireman
Lock	Willis
Martin	

#### Nays—5

Fly	Rogers of Travis
Fuller	Strauss
Rogers	
of Childress	

#### Absent

Kazen

#### Absent—Excused

Wagonseller      Weinert

The President laid before the Senate on its second reading the following bill:

S. B. No. 407, A bill to be entitled "An Act making an appropriation of Fourteen Thousand Dollars (\$14,000.00), or so much thereof as necessary, out of the unexpended balance heretofore appropriated to the Livestock Sanitary Commission under and by virtue of the provisions of House Bill 426, Fifty-second Legislature, Regular Session, 1951, and House Bill 111, Fifty-third Legislature, Regular Session, 1953, for the purpose of paying indemnity to the owners of sheep and

goats whose animals have been exposed to the contagious and fatal disease of scrapie which requires the destruction of such animals and declaring an emergency."

The bill was read the second time and was passed to engrossment.

#### Record of Vote

Senator Rogers of Childress asked to be recorded as voting "Nay" on the passage of S. B. No. 407 to engrossment.

#### Senate Bill 407 on Third Reading

Senator Hardeman moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 407 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—25

Aikin	Martin
Ashley	McDonald
Bracewell	Moffett
Colson	Moore
Corbin	Owen
Fly	Parkhouse
Hardeman	Phillips
Hazlewood	Ratliff
Kazen	Roberts
Kelley	Secrest
Lane	Shireman
Latimer	Willis
Lock	

#### Nays—4

Fuller	Rogers of Travis
Rogers	Strauss
of Childress	

#### Absent—Excused

Wagonseller	Weinert
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—22

Aikin	McDonald
Ashley	Moffett
Bracewell	Moore
Colson	Owen
Corbin	Parkhouse
Fly	Phillips
Hardeman	Ratliff
Kazen	Roberts
Kelley	Secrest
Latimer	Shireman
Martin	Willis

#### Nays—5

Fuller	Rogers of Travis
Lane	Strauss
Rogers	
of Childress	

#### Absent

Hazlewood	Lock
	Absent—Excused
Wagonseller	Weinert

#### Report of Standing Committee

Senator Fly by unanimous consent submitted the following committee report:

Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 967, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FLY, Chairman.

#### House Bill 967 Ordered Not Printed

On motion of Senator Martin and by unanimous consent H. B. No. 967 was ordered not printed.

#### House Joint Resolution 30 on Second Reading

On motion of Senator Fuller and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. J. R. 30, To provide, under such limitations and restrictions as may be deemed by the Legislature expedient, for assistance to needy individuals who are more than 18 and less than 65 years of age, who are permanently and totally disabled by reason of a mental or physical handicap.

The resolution was read the second time.

Senator Fuller offered the following committee amendment to the resolution:

Amend House Joint Resolution No. 30 by striking out all of Section 1 and inserting in lieu thereof the following:

"Section 1. That Article III of the Constitution of the State of Texas be

amended by adding thereto a new section to be known as Section 51-b which shall read as follows:

"Section 51-b. The Legislature shall have the power to provide by general laws, under such limitations and restrictions as may be deemed by the Legislature expedient, for assistance to needy individuals, who are citizens of the United States, who shall have passed their eighteenth (18th) birthday but have not passed their sixty-fifth (65th) birthday, who are totally and permanently disabled by reason of a mental or physical handicap or a combination of physical and mental handicaps and not feasible for vocational rehabilitation, and who are residents of the State of Texas, who have resided in this State for at least one (1) year continuously immediately preceding the application and who have resided in the State for at least an additional five (5) years during the nine (9) years immediately preceding the application for assistance; and providing further that no individual shall receive assistance under this program for the permanently and totally disabled during any period when he is receiving old age assistance, aid to the needy blind, or aid to dependent children, nor while he is residing permanently in any completely state supported institution; and provided further that not more than Twenty (\$20.00) Dollars a month out of state funds may be paid to any individual recipient; and provided further that the amount paid out of state funds to any individual may never exceed the amount paid to that individual out of Federal funds.

"The Legislature shall have the authority to accept from the Government of the United States such financial aid for individuals who are permanently and totally disabled as that Government may offer not inconsistent with the restrictions herein provided."

The committee amendment was adopted.

Senator Fuller offered the following committee amendment to the resolution:

Amend H. J. R. No. 30, Section 2, by striking therefrom the following words: "and providing for anticipatory legislation"

The committee amendment was adopted.

On motion of Senator Fuller and by unanimous consent, the vote by which Committee Amendment No. 1 was adopted was reconsidered and the President laid out Committee Amendment No. 1.

Senator Fuller offered the following committee amendment to Committee Amendment No. 1:

Amend Committee Amendment No. 1 to House Joint Resolution No. 30 by striking out the period following the word "funds," the last word in the first paragraph under Section 51-b, and inserting in lieu thereof a semicolon and the following clause:

"and provided further that the amount paid out of State funds for assistance payments shall not exceed One Million Five Hundred Thousand (\$1,500,000.00) Dollars per year."

The amendment to the committee amendment was adopted.

The committee amendment as amended was then adopted.

On motion of Senator Fuller and by unanimous consent, the caption was amended to conform to the body of the resolution as amended.

The resolution, as amended, was passed to third reading.

#### House Joint Resolution 30 on Third Reading

Senator Fuller moved that Senate Rules 32 and 45 and the constitutional rule requiring resolutions to be read on three several days be suspended and that H. J. R. No. 30 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—23

Aikin	Moffett
Bracewell	Moore
Colson	Owen
Corbin	Parkhouse
Fuller	Phillips
Kazen	Roberts
Kelley	Rogers
Lane	of Childress
Latimer	Rogers of Travis
Lock	Secrest
Martin	Strauss
McDonald	Willis

#### Nays—3

Fly	Ratliff
Hardeman	

Ashley                      Absent  
                                    Shireman  
Hazlewood  
                                    Absent—Excused  
Wagonseller              Weinert

The President then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

## Yeas—22

Aikin	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fuller	Roberts
Kazen	Rogers
Kelley	of Childress
Lane	Rogers of Travis
Latimer	Secrest
Martin	Strauss
McDonald	Willis
Moffett	

## Nays—3

Fly	Ratliff
Hardeman	

## Absent

Ashley	Lock
Hazlewood	Shireman
Absent—Excused	
Wagonseller	Weinert

## Presentation of Guests

Senator McDonald, by unanimous consent, presented Leona Steel, Mrs. Annie Ray, Blanche Banling, Glynne Ray, David Maxfield and Burl Strickland of Tyler to the Members of the Senate.

## Conference Committee Report on House Bill 20

Senator Parkhouse submitted the following Conference Committee Report on H. B. No. 20:

Austin, Texas,  
June 2, 1955.

Hon. Ben Ramsey, President of the Senate.

Hon. Jim Lindsey, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on H. B. No. 20, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

SANDERS  
NIEMANN  
PYLE  
ZBRANEK

On the part of the House.

PARKHOUSE  
BRACEWELL  
KELLEY  
COLSON

On the part of the Senate.

H. B. No. 20:

## A BILL

## TO BE ENTITLED

"An Act to create Trinity River Authority of Texas, as a conservation and reclamation district under Article XVI, Section 59 of the Constitution; prescribing the area to be included therein; providing for the governing body thereof; prescribing the purposes and powers of said Authority; providing for the incurring of debt; providing for the voting of an ad valorem tax; providing for the preparation of a Master Plan for overall development; providing for the securing of bonds by tax levies or by revenues of the Authority or by both, which bonds are declared to be legal and authorized investments; providing that the Authority performs a public function and that its properties and its bonds, and income therefrom, are exempt from taxation; making provisions with reference to other soil conservation, water control and improvement districts within the Authority and certain districts and companies which have water rights on the Trinity River; providing for participation by the State Board of Water Engineers and/or its successors; providing for constructing and contract bids; recognizing existing water rights; providing for the construction of a salt water barrier and authorization for contracts for storage water with cities, towns, public agencies, persons, firms, corporations, water control and improvement districts and other political subdivisions within or without the watershed; containing a severability clause; enacting other provisions related to the subject; and declaring an emergency."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. By virtue of Article XVI, Section 59 of the Texas Constitution, there is hereby created a conservation and reclamation district to be known as Trinity River Authority of Texas



(hereinafter sometimes called the "Authority") which shall be a governmental agency of the State of Texas and a body politic and corporate.

Sec. 2. (a) The Authority comprises all of the territory contained within the Counties of Dallas, Tarrant, Ellis, Navarro, and Chambers, and the following parts of Counties:

#### ANDERSON COUNTY

All of that portion of Anderson County located west of the following described line:

Beginning at the point of intersection of the west line of the J. Huntingdon Survey with the north line of Anderson County;

Thence south along the west lines of the J. Huntingdon Survey and the Isaac Lindsey Survey to the southwest corner of said Isaac Lindsey Survey;

Thence east along the south line of the Isaac Lindsey Survey to the northwest corner of the Adolphus D. Lattin Survey;

Thence south along the west line of the Adolphus D. Lattin Survey to the southwest corner of said Survey;

Then east along the south line of the Adolphus D. Lattin Survey to the northwest corner of the John Cantrell Survey;

Thence south along the west line of the John Cantrell Survey to the southwest corner of said survey;

Thence west along the north line of the Elizabeth Grace Survey to the northwest corner of said survey;

Thence south along the west line of the Elizabeth Grace Survey to the southwest corner of said survey;

Thence east along the north line of the John N. Fitzgerald Survey to the northwest corner of said survey;

Thence south along the west line of the Jesse B. McNealy Survey to the southwest corner of said survey;

Thence east along the south line of the Jesse B. McNealy Survey to the southeast corner of said survey;

Thence south along the west line of the William Elliott Survey to the southwest corner of said survey;

Thence east along the south line of the William Elliott Survey to the northwest corner of the Joseph Humphries Survey;

Thence south along the west line of the Joseph Humphries Survey to the southwest corner of said survey;

Thence west along the north line of the Peter Hinds Survey to a northwest corner of said survey;

Thence south along the west line of the Peter Hinds Survey to a southeast corner of the Daniel Faris Survey;

Thence west along the south line of the Daniel Faris Survey to a northwest corner of the Peter Hinds Survey;

Thence south along the west line of the Peter Hinds Survey to the point of intersection with the north line of the William Kimbro Survey;

Thence east along the north line of the William Kimbro Survey to the northeast corner of said survey;

Thence south along the east line of the William Kimbro Survey to the northwest corner of the Samuel G. Wells Survey;

Thence southeasterly along the east lines of the D. M. McKenzie Survey, the Jacob Snively Survey and the John Arthur Survey to the southeast corner of said John Arthur Survey;

Thence southeasterly across the William S. McDonald Survey to the northeast corner of the Stephen Crist Survey;

Thence south along the east line of the Stephen Crist Survey to the northwest corner of the Alpheus Wickware Survey;

Thence east along the north line of the Alpheus Wickware Survey to the northeast corner of said survey;

Thence south along the east line of the Alpheus Wickware Survey to the southeast corner of said survey, being also the point of intersection with the north line of the Alfred B. Davis Survey;

Thence easterly along the north line of the Alfred B. Davis Survey to the northeast corner of said survey;

Thence southerly along the east lines of the Alfred B. Davis Survey and the William Frost Survey to the southwest corner of the Geremiah V. Morgan Survey;

Thence east along the south line of the Geremiah V. Morgan Survey to the southeast corner of said survey;

Thence south along the east lines of the J. H. Gillespie Survey and the W. T. Hamilton Survey to a southeast corner of said W. T. Hamilton Survey, being also the point of intersection with the north line of the Ely Falkenberg Survey;

Thence westerly along the north line of the Ely Falkenberg Survey to the northwest corner of said survey;

Thence southerly along the west line of the Ely Falkenberg Survey to the southwest corner of said survey;

Thence easterly along the south line of the Ely Falkenberg Survey to the point of intersection with the east line of the William T. Davis Survey, being also the west line of the David Stilts Survey;

Thence southerly along the east line of the William T. Davis Survey to the southwest corner of the David Stilts Survey;

Thence easterly along the north line of the William T. Davis Survey to the northeast corner of said survey;

Thence southerly along the east line of the William T. Davis Survey, being also along the west line of the J. C. Rosson Survey, to the point of intersection with the northwest line of the Philip Mortin Survey;

Thence northeasterly along the northwest line of the Philip Mortin Survey to the most northerly corner of said survey;

Thence southeasterly along the northeast line of the Philip Mortin Survey to the southeast corner of said Survey;

Thence southeasterly along the northeast line of the Nathaniel Morgan Survey to the southeast corner of said survey;

Thence south along the west line of the William R. Wilson Survey to the southwest corner of said survey;

Thence southwesterly along the northwest line of the James Hunter Survey to the most westerly corner of said survey;

Thence southeasterly along the southwest lines of the James Hunter Survey and the P. M. Lamerson Survey to the southwest corner of said P. M. Lamerson Survey;

Thence west along the north line of the John Parker Survey to the northwest corner of said survey;

Thence south along the west line of the John Parker Survey to the southeast corner of the Daniel Kennedy Survey;

Thence east along the north line of the Eli Chaffin Survey to the northeast corner of said survey;

Thence south along the east line of Eli Chaffin Survey to the point of intersection with the south line of Anderson County.

#### FREESTONE COUNTY

All of that portion of Freestone County located northeast of the following described line:

Beginning at the point of intersection of the south line of the S. Garrison Survey with the southwest line of Freestone County;

Thence east along the south line of the S. Garrison Survey to the southeast corner of said survey;

Thence north along the east line of the S. Garrison Survey to the southwest corner of the William T. Gamble Survey;

Thence east along the north line of the M. R. Alsrn Survey to the northeast corner of said survey;

Thence south along the east line of the M. R. Alsrn Survey to the northwest corner of the William Whitley Survey;

Thence east along the north line of the William Whitley Survey to the northeast corner of said survey;

Thence south along the east line of the William Whitley Survey to the southeast corner of said survey;

Thence east across the Maria de Cantun Survey and along the north line of the S. W. Lamar Survey to the northeast corner of the S. W. Lamar Survey;

Thence south along the east line of the S. W. Lamar Survey to the northwest corner of the W. Carter Survey;

Thence east along the north line of the W. Carter Survey to the northeast corner of said survey;

Thence south along the east line of the W. Carter Survey to the southwest corner of the J. H. Webb Survey;

Thence east along the south line of the J. H. Webb Survey to the southeast corner of said survey;

Thence south along the west line of the R. A. Nelson Survey to the southwest corner of said survey;

Thence east along the south line of the R. A. Nelson Survey to the northwest corner of the T. H. Davis Survey;

Thence south along the west line of the T. H. Davis Survey to the southwest corner of said survey;

Thence east along the south line of the T. H. Davis Survey to the northeast corner of the Caleb Moul Survey;

Thence south along the west line of the J. Langston Survey to the southwest corner of said survey;

Thence east along the south line of the J. Langston Survey to the southeast corner of said survey;

Thence south along the west line of the J. Graham Survey to the southwest corner of said survey;

Thence east along the south line of the J. Graham Survey to the northeast corner of the Thomas P. Shapard Survey;

Thence southeasterly along the northeast line of the Thomas P. Shapard Survey and the Francis O'Neal Survey to the point of intersection

with the northwest line of the James Strickland Survey;

Thence northeasterly along the northwest line of the James Strickland Survey to the most northerly corner of said survey;

Thence southeasterly along the southwest lines of the R. Lawson, John Lawrence, William H. Hickman Surveys to the southwest corner of the William H. Hickman Survey, being also the southeast corner of the James Moffitt Survey;

Thence southwesterly along the northwest line of the John R. Jennings Survey to the northwest corner of said survey;

Thence southeasterly along the southwest line of the John R. Jennings Survey to a southeast corner of the L. J. Parker Survey;

Thence southerly across the David Bullock Survey to the most southerly corner of said survey;

Thence southeasterly along the northeast lines of the N. Peck Survey and the G. Diaz Survey to the southeast corner of the G. Diaz Survey, being also the point of intersection with the southeast line of Freestone County.

#### HENDERSON COUNTY

All of that portion of Henderson County located west of State Highway 19.

#### HOUSTON COUNTY

All of that portion of Houston County located west of the following described lines:

Beginning at the point of intersection of the east line of the Eli Chaffin Survey with the north line of Houston County;

Thence south along the east line of the Eli Chaffin Survey to the southwest corner of the John Parker Survey;

Thence east along the north line of the J. S. Caskey Survey to the northeast corner of said survey;

Thence south along the west line of the Z. W. Dillard Survey to the southwest corner of said survey;

Thence west along the north line of the Benjamin Parker Survey to the northwest corner of said survey;

Thence south along the west line of the Benjamin Parker Survey to the southeast corner of the Simon Matthews Survey;

Thence east along the north line of the J. J. Whitesides Survey to the northeast corner of said survey;

Thence south along the east lines of the J. J. Whitesides Survey and the Caleb Wallace Survey to the southeast

corner of said Caleb Wallace Survey;

Thence west along the south line of the Caleb Wallace Survey to the point of intersection with the east line of the James W. Parker Survey;

Thence south along the east line of the James W. Parker Survey to the southeast corner of said survey;

Thence east along the north line of the Christiana Breece Survey to the northeast corner of said survey;

Thence south along the east line of the Christiana Breece Survey to the point of intersection with the north line of the L. Carpenter Survey;

Thence east along the north line of the L. Carpenter Survey to the northeast corner of said survey;

Thence southeasterly along the east line of the L. Carpenter Survey to the southeast corner of said survey;

Thence northeasterly along the north line of the Eli Stedman Survey to the northeast corner of said survey;

Thence south along the east lines of the Eli Stedman Survey and the J. F. Martin Survey to the southwest corner of the William Burke Survey;

Thence east along the south line of the William Burke Survey to the southeast corner of said survey;

Thence south along the west line of the John Ellison Survey to the southwest corner of said survey;

Thence east along the north line of the Fred Hemminger Survey to the northeast corner of said survey;

Thence south along the west line of the Jacob Cutler Survey to the southwest corner of said survey;

Thence east along the south line of the Jacob Cutler Survey to the southeast corner of said survey;

Thence south along the west line of the J. C. Skidmore Survey to the southwest corner of said survey;

Thence east along the south lines of the J. C. Skidmore Survey and the J. W. Willingham Survey to the northwest corner of the R. J. Weisinger Survey;

Thence south along the west line of the R. J. Weisinger Survey to the southwest corner of said survey;

Thence east along the south line of the R. J. Weisinger Survey to the southeast corner of said survey;

Thence south along the west line of the M. N. Bates Survey to the southwest corner of said survey;

Thence east along the south line of the M. N. Bates Survey to the northwest corner of the Philip R. Hefley Survey;

Thence south along the west line of the Philip R. Hefley Survey to the

southwest corner of said survey;

Thence east along the north line of the Joel Young Survey to the northeast corner of said survey;

Thence south along the west line of the H. Durst, Jr., Survey to the southwest corner of said survey;

Thence east along the south lines of the H. Durst, Jr., Survey, the J. D. Dickey Survey and the W. T. Dickey Survey to the southeast corner of said W. T. Dickey Survey;

Thence south along the west lines of the George Grounds Survey and the John F. Allen Survey to the point of intersection with the north line of the John M. Box Survey;

Thence east along the north line of the John M. Box Survey to the northeast corner of said survey;

Thence south along the east line of the John M. Box Survey to the northwest corner of the J. E. Allen Survey;

Thence east along the north line of the J. E. Allen Survey to the northeast corner of said survey, being the point of intersection with the southwest line of the John McCarty Survey;

Thence southeasterly along the southwest line of the John McCarty Survey to the most southerly corner of said survey;

Thence northeasterly along the southeast line of the John McCarty Survey to the most northerly corner of the Benjamin S. Heam Survey;

Thence southeasterly along the northeast line of the Benjamin S. Heam Survey to the most easterly corner of said survey;

Thence southwesterly along the southeast line of the Benjamin S. Heam Survey to the most westerly corner of the William Adams Survey;

Thence southeasterly along the southwest line of the William Adams Survey to the most southerly corner of said survey;

Thence northeasterly along the southeast line of the William Adams Survey to the most northerly corner of the E. T. Allen Survey, being also the most westerly corner of the S. C. Hiram Survey;

Thence southeasterly along the northeast line of the E. T. Allen Survey to the most easterly corner of said survey;

Thence southwesterly along the northwest line of the Jacob Masters, Sr., Survey to the most westerly corner of said survey;

Thence southeasterly along the southwest lines of the Jacob Masters, Sr., Survey and the John Gossett Sur-

vey to the southwest corner of said John Gossett Survey;

Thence easterly along the south lines of the John Gossett Survey and the Solomon Albright Survey to the northeast corner of the William H. Kennedy Survey;

Thence south along the east line of the William H. Kennedy Survey to the northwest corner of the Luke Bust Survey;

Thence east along the north line of the Luke Bust Survey to the northeast corner of said Survey;

Thence south along the east line of the Luke Bust Survey to the southeast corner of said Survey;

Thence east along the north line of the James McLane Survey to the northeast corner of said survey;

Thence south along the east lines of the James McLane Survey and the H. Coulton Survey to the southwest corner of the Garrett Allen Survey;

Thence east along the north line of the H. Coulton Survey to the northeast corner of said survey;

Thence south along the east line of the H. Coulton Survey to the southeast corner of said survey;

Thence east along the north line of the J. R. Hancock Survey to the northeast corner of said survey;

Thence south along the east line of the J. R. Hancock Survey to the southeast corner of said survey;

Thence east along the north line of the Levi Speer Survey to the northeast corner of said survey;

Thence south along the east line of the Levi Speer Survey to the southeast corner of said survey;

Thence east along the north line of the C. B. Brent Survey to the northeast corner of said survey;

Thence south along the east line of the C. B. Brent Survey to the southeast corner of said survey;

Thence easterly along the north line of the J. R. Hancock Survey to the northeast corner of said survey;

Thence southeasterly along the east line of the J. R. Hancock Survey to the southeast corner of said survey;

Thence northeasterly along the northwest line of the C. B. Brent Survey to the most northerly corner of said survey;

Thence southeasterly along the northeast line of the C. B. Brent Survey to the most easterly corner of said survey;

Thence southwesterly along the southeast line of the C. B. Brent Sur-

vey to the most southerly corner of said survey;

Thence southeasterly along the northeast line of the J. W. Moore Survey to the most easterly corner of said survey;

Thence southwesterly along the southeast line of the J. W. Moore Survey to the most southerly corner of said survey;

Thence southeasterly along the southwest line of the Calvin C. Robinett Survey to the southwest corner of said Survey, being also the southeast corner of the George W. Hallmark Survey;

Thence east along the south line of the Calvin C. Robinett Survey to the southeast corner of said survey;

Thence north along the east line of the Calvin C. Robinett Survey to the southwest corner of the Samuel Harris Survey;

Thence east along the south line of the Samuel Harris Survey to the northwest corner of the I. & G. N. Railroad Company Survey, Abstract No. 583;

Thence south along the west line of the I. & G. N. Railroad Company Survey, Abstract No. 583, to the southwest corner of said survey;

Thence east along the south line of the I. & G. N. Railroad Company Survey, Abstract No. 583, to the northwest corner of the I. & G. N. Railroad Company Survey, Abstract No. 584;

Thence south along the west line of the I. & G. N. Railroad Company Survey, Abstract No. 584, to the southwest corner of said survey, being also the point of intersection with the north line of the Peter Tumlinson Survey;

Thence easterly along the north line of the Peter Tumlinson Survey to the northeast corner of said survey;

Thence southerly along the east line of the Peter Tumlinson Survey to the southeast corner of said survey;

Thence westerly along the south line of the Peter Tumlinson Survey to the northeast corner of the Jacob Perkins Survey;

Thence southerly along the west line of the B. B. B. & C. Railroad Company Survey to the southwest corner of said survey;

Thence easterly along the south line of the B. B. B. & C. Railroad Company Survey to the west corner of the H. Harris Survey, being also the northwest corner of the Sam James Survey;

Thence southerly along the west

lines of the Sam James Survey and the William Ashworth Survey to the southwest corner of said William Ashworth Survey;

Thence easterly along the south line of the William Ashworth Survey to the northwest corner of the W. G. Sterling Survey;

Thence southerly along the west line of the W. G. Sterling Survey to the point of intersection with the north line of the John Watts Survey;

Thence easterly along the north line of the John Watts Survey to the northeast corner of said survey;

Thence southerly along the east line of the John Watts Survey to the southeast corner of said survey;

Thence easterly along the south line of the W. G. Sterling Survey to the point of intersection with the southeast line of Houston County.

#### KAUFMAN COUNTY

All of that portion of Kaufman County located southwest of the following described line:

Beginning at the point of intersection of the northwest line of the Elisha Turner Survey, Abstract No. 529, with the north line of Kaufman County;

Thence southwest along the northwest line of the Elisha Turner Survey, Abstract No. 529, to the west corner of said survey;

Thence southeast along the southwest line of the Elisha Turner Survey, Abstract No. 529, to the south corner of said survey;

Thence northeast along the southeast line of the Elisha Turner Survey, Abstract No. 529, to the west corner of the Thomas Hunt Survey;

Thence southeast along the southwest line of the Thomas Hunt Survey to the south corner of said survey;

Thence northeast along the southeast lines of the Thomas Hunt Survey and the Benjamin Lindsey Survey to the east corner of said Benjamin Lindsey Survey;

Thence southeast along the northeast lines of the H. H. Greer Survey, the George Hiden Survey, the Mrs. Elizabeth Parsons Survey, the William Fulcher Survey, and the Juana Escalan Survey to the point of intersection with the east line of Kaufman County.

#### LEON COUNTY

All that portion of Leon County located east of the following described line:

Beginning at the point of intersection of the northeast line of the Ger-

trudis Diaz Survey with the northwest line of Leon County;

Thence southeast along the northeast line of the Gertrudis Diaz Survey to the most easterly corner of said survey;

Thence southwest along the southeast line of the Gertrudis Diaz Survey to the most southerly corner of said survey;

Thence southeast along the northeast line of the William F. Gray Survey to the most easterly corner of said survey;

Thence southwest along the northwest line of the H. R. Cartmell Survey to the most westerly corner of said survey;

Thence southeast along the southwest line of the H. R. Cartmell Survey to the most southerly corner of said survey;

Thence northeast along the northwest line of the James W. Dodson Survey to the most northerly corner of said survey;

Thence southeast along the northeast line of the James W. Dodson Survey to the most easterly corner of said survey;

Thence southwest along the southeast line of the James W. Dodson Survey to the most northerly corner of the C. Haynie Survey;

Thence southeast along the northeast line of the C. Haynie Survey to the most easterly corner of said survey;

Thence northeast along the northwest line of the John L. Wall Survey to the most northerly corner of said survey;

Thence southeast along the southwest lines of the James D. McBeath Survey, the H. Porter Survey, the Benjamin Green Survey, and the William H. Barritt Survey to the most southerly corner of the said William H. Barritt Survey;

Thence southeast along the southwest line of the Noah Guinn Survey to the most southerly corner of said survey;

Thence southwest along the northwest line of the London Webster Survey to the most westerly corner of said survey;

Thence southeast along the southwest line of the London Webster Survey to the most northerly corner of the M. Williams Survey;

Thence southwest along the northwest line of the M. Williams Survey to the most westerly corner of said survey;

Thence southeast along the northeast line of the John Fuller Survey to the most easterly corner of said survey;

Thence southwest along the southeast line of the John Fuller Survey to the most southerly corner of said survey;

Thence southeast along the northeast line of the George E. Dwight Survey to the most easterly corner of said survey;

Thence southeast along the southwest line of the George E. Dwight Survey to the point of intersection with the southwest line of the William Bolton Survey;

Thence southeast along the southwest line of the William Bolton Survey to the most southerly corner of said survey;

Thence southwest along the northwest line of the Elisha H. Whitton Survey to the most westerly corner of said survey;

Thence southeast along the southwest line of the Elisha H. Whitton Survey to the most southerly corner of said survey;

Thence southwest along the northwest line of the Samuel Philips Survey to the most westerly corner of said survey;

Thence southeast along the southwest line of the Samuel Philips Survey to the most southerly corner of said survey;

Thence southwest along the northwest lines of the A. M. Hallmark Survey, the Charles Jones Survey, and the John W. Hallett Survey to the most westerly corner of said John W. Hallett Survey;

Thence southeast along the southwest line of the John W. Hallett Survey to the point of intersection with the northwest line of the C. Ballard Survey;

Thence southwest along the northwest line of the C. Ballard Survey to the most westerly corner of said Survey;

Thence southeast along the southwest line of the C. Ballard Survey to the most southerly corner of said survey;

Thence southwest along the northwest line of the Milton Fuller Survey to the most westerly corner of said Survey;

Thence southeast along the southwest line of the Milton Fuller Survey to the point of intersection with the northwest line of the William H. Fletcher Survey;

Thence southwest along the northwest line of the William H. Fletcher Survey to the most westerly corner of said survey;

Thence southeast along the southwest line of the William H. Fletcher Survey to the most southerly corner of said survey;

Thence northeast along the southeast line of the William H. Fletcher Survey to the point of intersection with the northeast line of the James Keeling Survey;

Thence southeast along the northeast line of the James Keeling Survey to the most easterly corner of said survey;

Thence southwest along the northwest lines of the J. W. Waltman Survey and the L. H. Simms Survey to the most westerly corner of said L. H. Simms Survey;

Thence southeast along the southwest line of the L. H. Simms Survey to the most southerly corner of said survey;

Thence southwest along the northwest line of the Warrick Martin Survey to the most westerly corner of said survey;

Thence southeast along the southwest lines of the Warrick Martin Survey and the Washington Beaty Survey to the most southerly corner of said Washington Beaty Survey;

Thence southwest along the northwest line of the John Schritchfield Survey to the northwest corner of said Survey;

Thence southeast along the southwest line of the John Schritchfield Survey to a corner, being also the most easterly corner of the Jose Maria Viesca XI Leagues;

Thence southwest along the northwest line of the John Schritchfield Survey to the point of intersection with the northeast line of the James M. Robinson Survey;

Thence southeast along the southwest line of the John Schritchfield Survey to the most southerly corner of said survey;

Thence northeast along the northwest line of the Robert Ragers Survey to the most northerly corner of said survey;

Thence southeast along the northeast line of the Robert Ragers Survey to the point of intersection with the southeast line of Leon County.

#### MADISON COUNTY

All of that portion of Madison County located east of the following described line:

Beginning at the point of intersection of the west line of the John Woodruff Survey with the northwest line of Madison County;

Thence south along the west line of the John Woodruff Survey to the southwest corner of said survey;

Thence east along the south line of the John Woodruff Survey to the northwest corner of the William Thompson Survey;

Thence south along the west line of the William Thompson Survey to the southwest corner of said survey;

Thence east along the south line of the William Thompson Survey to the southeast corner of said survey;

Thence south along the east lines of the Champion Blythe Survey, the Peter Fullenwider Survey, the L. M. H. Washington Survey, the John T. Vaughan Survey and the John Payne Survey to the point of intersection with the south line of Madison County.

#### POLK COUNTY

All of that portion of Polk County located west of the following described line:

Beginning at the point of intersection of the south line of the J. V. Bradley Survey, being also the north line of the Houston County School Land Survey, with the northwest line of Polk County;

Thence east along the north line of the Houston County School Land Survey, Abstract No. 272, to the northeast corner of said survey;

Thence south along the east line of the Houston County School Land Survey to the southwest corner of the Houston County School Land Survey, Abstract No. 271, being also the point of intersection with the north line of the Trinity County School Land Survey;

Thence east along the north lines of the Trinity County School Land Survey, the J. F. White Survey, the J. A. Bahr Survey, and the J. Poitevent Survey to the northeast corner of said J. Poitevent Survey;

Thence south along the east line of the J. Poitevent Survey to the southwest corner of the Shepherd Brazelton Survey;

Thence east along the south lines of the Shepherd Brazelton Survey, the Wm. H. Huggins Survey, and the Abraham Vannordstrand Survey to the southeast corner of said Abraham Vannordstrand Survey;

Thence south along the east line of the Chas. Bender Survey to the southwest corner of the J. Poitevent Survey;

Thence east along the south line of the J. Poitevent Survey to the point of intersection with the west line of the Joseph P. Follett Survey;

Thence south along the west line of the Joseph P. Follett Survey to the southwest corner of said survey;

Thence east along the north line of the John Watts Survey to the northeast corner of said survey;

Thence north along the west line of the John Dickerson Survey to the northwest corner of said survey;

Thence east along the north line of the John Dickerson Survey to the northeast corner of said survey;

Thence south along the east line of the John Dickerson Survey to the southeast corner of said survey;

Thence west along the south line of the John Dickerson Survey to the northwest corner of the Alex Johnson Survey;

Thence south along the west line of the Alex Johnson Survey to the southwest corner of said survey;

Thence east along the south line of the Alex Johnson Survey to the northwest corner of the M. J. Taylor Survey;

Thence south along the west lines of the M. J. Taylor Survey, the John McSpaden Survey, Abstract No. 881, and the John McSpaden Survey, Abstract No. 817, and the H. & T. C. R. R. Co. Survey, Abstract No. 315 to the southwest corner of said H. & T. C. R. R. Co. Survey;

Thence east along the south line of the H. & T. C. R. R. Co. Survey, Abstract No. 315, to the point of intersection with the west line of the D. B. Harris Survey;

Thence south along the east line of the H. & T. C. R. R. Co. Survey, Abstract No. 314, to the point of intersection with the northeast line of the Wm. P. Sansom Survey;

Thence northwest along the northeast line of the Wm. P. Sansom Survey to the most northerly corner of said survey;

Thence southwest along the northwest line of the Wm. P. Sansom Survey to the point of intersection with the east line of the N. D. Labadie Survey;

Thence south along the east line of the N. D. Labadie Survey to the point of intersection with the northwest line of the Iradel D. Thomas Survey;

Thence southwest along the northwest line of the Iradel D. Thomas Survey to the most westerly corner of said survey;

Thence southeast along the south-

west line of the Iradel D. Thomas Survey to the most southerly corner of said survey;

Thence southwest along the northwest line of the Morris Tanner Survey to the most westerly corner of said survey;

Thence southeast along the southwest line of the Morris Tanner Survey to the most southerly corner of said survey;

Thence southwest along the northwest line of the Henry H. Cone Survey to the most westerly corner of said survey;

Thence southeast along the southwest line of the Henry H. Cone Survey to the point of intersection with the northwest line of the Jeremiah Chessen Survey;

Thence southwest along the northwest line of the Jeremiah Chessen Survey to the most westerly corner of said survey;

Thence southeast along the southwest line of the Jeremiah Chessen Survey to the most northerly corner of the A. D. Bateman Survey;

Thence southwest along the northwest line of the A. D. Bateman Survey to the most westerly corner of said survey;

Thence southeast along the southwest line of the A. D. Bateman Survey to the most southerly corner of said survey;

Thence southwest along the northwest line of the James G. Darden Survey to the point of intersection with the northeast line of the Joseph B. Jones Survey;

Thence southeast along the southwest line of the James D. Darden Survey to the point of intersection with the northwest line of the Juan Falcon Survey;

Thence southwest along the northwest line of the Juan Falcon Survey to the most westerly corner of said survey.

Thence southeast along the southwest line of the Juan Falcon Survey to the most southerly corner of said survey;

Thence southwest along the northwest line of the H. E. Watson Survey to the most westerly corner of said survey;

Thence southeast along the southwest line of the H. E. Watson Survey to the point of intersection with the northwest line of the James Morgan Survey;

Thence northeast along the northwest line of the James Morgan Sur-



vey to the most northerly corner of said survey;

Thence southeast along the northeast line of the James Morgan Survey to the most easterly corner of said survey;

Thence southwest along the southeast line of the James Morgan Survey to the point of intersection with the west line of the Henry W. Augustin Survey;

Thence south along the west line of the Henry W. Augustin Survey to the most southerly corner of said survey;

Thence east along the south line of the Henry W. Augustin Survey to the point of intersection with the northeast line of the J. G. Loving Survey, said point of intersection being also the most westerly corner of the A. B. Wildman Survey;

Thence southeast along the northeast line of the J. G. Loving Survey to the point of intersection with the west line of the A. B. Wildman Survey;

Thence south along the east line of the J. G. Loving Survey to the southeast corner of said survey;

Thence east along the north line of the John V. Williams Survey to the northeast corner of said survey;

Thence south along the west lines of the A. B. Wildman Survey, the James H. Finley Survey, and the Joseph H. Knapp Survey to the southwest corner of said Joseph H. Knapp Survey;

Thence east along the south line of the Joseph H. Knapp Survey to the northwest corner of the James Stephenson Survey;

Thence south along the west line of the James Stephenson Survey to the point of intersection with the south line of Polk County.

#### SAN JACINTO COUNTY

All of that portion of San Jacinto County located north and east of the following described line:

Beginning at the point of intersection of the west line of the S. Kirkham Survey, being also the east line of the A. B. Rozzell Survey, with the southeast line of San Jacinto County;

Thence north along the west line of the S. Kirkham Survey to the northwest corner of said survey;

Thence east along the north line of the S. Kirkham Survey to the point of intersection with the west line of the Oliver H. Williams Survey;

Thence north along the east line of the A. B. Rozzell Survey to the northeast corner of said survey;

Thence west along the north line

of the A. B. Rozzell Survey to the southwest corner of the Daniel Dunaho Survey;

Thence north along the west line of the Daniel Dunaho Survey to the point of intersection with the south line of the H. & T. C. RR Co. Survey;

Thence west along the south line of the H. & T. C. RR Co. Survey to the southwest corner of said survey;

Thence north along the west line of the H. & T. C. RR Co. Survey to the northwest corner of said survey;

Thence west along the south line of the Horatio A. Alsbury Survey to the southwest corner of said survey;

Thence north along the west line of the Horatio A. Alsbury Survey to the northwest corner of said survey;

Thence west along the south line of the John Faulk Survey to the southwest corner of said survey;

Thence north along the west line of the John Faulk Survey to the point of intersection with the north line of the James Booth Survey;

Thence west along the north line of the James Booth Survey to the southeast corner of the George Taylor Survey;

Thence north along the east line of the George Taylor Survey to the northeast corner of said survey;

Thence west along the north line of the George Taylor Survey to the point of intersection with the southeast line of the Polk County School Land Survey;

Thence northeast along the southeast line of the Polk County School Land Survey to the most easterly corner of said survey;

Thence northwest along the southwest line of the William M. White Survey to the most westerly corner of said survey;

Thence northeast along the northwest line of the William M. White Survey to the point of intersection with the southwest line of the Robert Rankin Survey;

Thence northwest along the southwest line of the Robert Rankin Survey to the most westerly corner of said survey;

Thence northeast along the northwest line of the Robert Rankin Survey to the point of intersection with the southwest line of the Drury McGee Survey;

Thence northwest along the southwest line of the Drury McGee Survey to the most westerly corner of said survey;

Thence northwest across the Mesina Brown Survey to the most southerly

corner of Richard Danzey Survey;

Thence northwest along the southwest line of the Richard Danzey Survey to the point of intersection with the southeast line of the Charles Butler Survey;

Thence northeast along the southeast line of the Charles Butler Survey to the most easterly corner of said survey;

Thence northwest along the northeast line of the Charles Butler Survey to the most northerly corner of said survey;

Thence southwest along the northwest line of the Charles Butler Survey to the point of intersection with the east line of the Polk County School Land Survey, being also the point of intersection with the west line of the I. & G. N. RR Company Survey;

Thence north along the east line of the Polk County School Land Survey to the northeast corner of said survey;

Thence west along the north line of the Polk County School Land Survey to the point of intersection with the east line of the Richard Danzey Survey;

Thence north along the east line of the Richard Danzey Survey to the northeast corner of said survey;

Thence west along the north line of the Richard Danzey Survey to the southeast corner of the T. J. Golightly Survey;

Thence north along the east line of the T. J. Golightly Survey to the northeast corner of said survey;

Thence west along the north line of the T. J. Golightly Survey to the point of intersection with the northeast line of the William M. White Survey;

Thence northwest along the northeast line of the William M. White Survey to the point of intersection with the south line of the Ralph McGee Survey;

Thence west along the south line of the Ralph McGee Survey to the southwest corner of said survey;

Thence north along the west line of the Ralph McGee Survey to the northwest corner of said survey;

Thence east along the north line of the Ralph McGee Survey to the point of intersection with the west line of the William Morris Survey;

Thence north along the west line of the William Morris Survey to the point of intersection with the south line of the James C. Ward Survey;

Thence west along the south line of

the James C. Ward Survey and the I. & G. N. RR Company Survey to the most southerly corner of the I. & G. N. RR Company Survey;

Thence north along the west line of the I. & G. N. RR Company Survey to an angle point for corner;

Thence northwest along the southwest line of the I. & G. N. RR Company Survey to an angle point for corner, said angle point being also the most northerly corner of the Francisco Mancha Survey;

Thence north along the west line of the I. & G. N. RR Company Survey to the most southerly corner of the Jonathan Stanley Survey;

Thence northwest along the southwest lines of the Jonathan Stanley Survey and the A. P. Davis Survey to the point of intersection with the southeast line of the Robert T. Rucker Survey;

Thence southwest along the southeast line of the Robert T. Rucker Survey to the most southerly corner of said survey;

Thence northwest along the southwest lines of the Robert T. Rucker Survey and the Zelpha Sears Survey to the point of intersection with the southeast line of the Robert Kilgore Survey;

Thence southwest along the southeast line of the Robert Kilgore Survey to the most southerly corner of said survey;

Thence northwest along the southwest line of the Robert Kilgore Survey to the most westerly corner of said survey;

Thence northeast along the northwest line of the Robert Kilgore Survey to the point of intersection with the southwest line of the Albert A. Foster Survey;

Thence northwest along the southwest line of the Albert A. Foster Survey to the most westerly corner of said survey;

Thence northeast along the northwest line of the Albert A. Foster Survey to the point of intersection with the southwest line of the Roderick Jenkins Survey;

Thence northwest along the southwest line of the Roderick Jenkins Survey to the point of intersection with the southeast line of the Benson Resinhowe Survey;

Thence southwest along the southeast line of the Benson Resinhowe Survey to the point of intersection with the west line of San Jacinto County.

## TRINITY COUNTY

All of that portion of Trinity County located southwest of the following described line:

Beginning at the point of intersection of the north line of the Jose M. Prado Survey with the northwest line of Trinity County;

Thence east along the north line of the Jose M. Prado Survey to the northeast corner of said survey;

Thence south along the east line of the Jose M. Prado Survey to the northwest corner of the J. M. Walker Survey;

Thence east along the north line of the J. M. Walker Survey to the northeast corner of said survey;

Thence south along the east line of the J. M. Walker Survey to the northwest corner of the James M. Tullous Survey;

Thence east along the north line of the James M. Tullous Survey to the northeast corner of said survey;

Thence south along the east lines of the James M. Tullous Survey and the N. E. Morris Survey to the point of intersection with the south line of the M. H. Shull Survey;

Thence east along the south line of the M. H. Shull Survey to the northeast corner of the Christopher Fox Survey;

Thence south along the west lines of the R. F. Stokes Survey and the Jerry Davis Survey to the point of intersection with the north line of the Arthur E. Westall Survey;

Thence east along the north line of the Arthur E. Westall Survey to the northeast corner of said survey;

Thence south along the east line of the Arthur E. Westall Survey to the southeast corner of said survey;

Thence west along the south line of the Arthur E. Westall Survey to the point of intersection with the west line of the Richard Miller Survey;

Thence south along the west lines of the Richard Miller Survey and the C. H. Rushing Survey to the southwest corner of said C. H. Rushing Survey;

Thence southeast along the southwest line of the C. H. Rushing Survey to an angle point for a corner;

Thence east along the south line of the C. H. Rushing Survey to the southeast corner of said survey;

Thence south along the west line of the John Veatch Survey to the southwest corner of said survey;

Thence southeast along the south-

west line of the John Veatch Survey to the point of intersection with the southeast line of the James Hanley Survey;

Thence northeast along the southeast line of the John Veatch Survey to the point of intersection with the southwest line of the Maria G. Castro Survey;

Thence southeast along the southwest lines of the Maria G. Castro Survey and the Ignacio de los Santos Coy Survey to the south corner of said Ignacio de los Santos Coy Survey;

Thence southwest along the northwest line of the Trinity County Survey, Abstract No. 590, to the southwest corner of said survey;

Thence east along the north line of the Ebenezer Fraser Survey to the northeast corner of said survey;

Thence south along the east line of the Ebenezer Fraser Survey to the point of intersection with the south line of the T. & S. T. Company Survey;

Thence east along the north line of the Felix W. Goff Survey to the northeast corner of said survey;

Thence south along the east line of the Felix W. Goff Survey to the point of intersection with the north line of the John J. West Survey;

Thence east along the north line of the John J. West Survey to the northeast corner of said survey;

Thence south along the east line of the John J. West Survey to the point of intersection with the north line of the J. Poitevent Survey, Abstract No. 501;

Thence east along the south line of the John D. Long Survey to the southeast corner of said survey;

Thence north along the east line of the John D. Long Survey to the point of intersection with the south line of the G. W. Granbury Survey;

Thence east along the south line of the G. W. Granbury Survey to the southeast corner of said survey;

Thence south along the east line of the J. Poitevent Survey, Abstract No. 501, being also along the west line of the J. Poitevent Survey, Abstract No. 500, to angle point for corner;

Thence east along the north line of the J. Poitevent Survey, Abstract No. 501, being also along the south line of the J. Poitevent Survey, Abstract No. 500, to an angle point for corner;

Thence south along the east lines of the J. Poitevent Survey, Abstract No. 501, and the F. S. Trueblood Sur-

vey to the point of intersection with the southeast line of Trinity County.

#### WALKER COUNTY

All of that portion of Walker County located north of the following described line:

Beginning at the point of intersection of the south line of the William S. Parker Survey, Abstract No. 428, with the west line of Walker County;

Thence east along the south line of the William S. Parker Survey, Abstract No. 428, to the southeast corner of said survey;

Thence south along the west line of the Abraham Peck Survey to the southwest corner of said survey;

Thence east along the south line of the Abraham Peck Survey to the southeast corner of said survey;

Thence north along the east line of the Abraham Peck Survey to the point of intersection with the west line of the Manuel Herrera Survey;

Thence north along the west line of the Manuel Herrera Survey to the northwest corner of said survey;

Thence east along the north lines of the Manuel Herrera Survey and the Juan Jose Sanchez Survey to the northwest corner of said Juan Jose Sanchez Survey;

Thence south along the east lines of the Juan Jose Sanchez Survey and the John Heyser Survey, Abstract No. 236, to the point of intersection with the northwest line of the J. Heyser Survey, Abstract No. 238;

Thence northeast along the northwest lines of the J. Heyser Survey, Abstract No. 238, and the Allen Roberts Survey to the northeast corner of said Allen Roberts Survey;

Thence south along the east line of the Allen Roberts Survey to the point of intersection with the northwest line of the Benjamin W. Robinson Survey;

Thence northeast along the northwest line of the Benjamin W. Robinson Survey to the point of intersection with the northeast line of the John Rutledge Survey, being also the southwest corner of the Sydney Cole Survey;

Thence southeasterly across the Benjamin W. Robinson Survey to the northwest corner of the James C. DeWitt Survey;

Thence northeast along the northwest line of the James C. DeWitt Survey to the northeast corner of said survey;

Thence south along the west line of

the Samuel H. Ewing Survey to the southwest corner of said survey;

Thence east along the south lines of the Samuel H. Ewing Survey, the John Randolph Survey and the William G. Tumlinson Survey to the point of intersection with the west line of the Lewis Cox Survey;

Thence east along the north line of the Lewis Cox Survey to the northeast corner of said survey;

Thence south along the east line of the Lewis Cox Survey to a point for corner;

Thence east along the north line of the Lewis Cox Survey to the point of intersection with the northwest line of the Peter Tomlinson Survey;

Thence northeast along the northwest line of the Peter Tomlinson Survey to the point of intersection with the west line of the John W. Adams Survey;

Thence north along the west line of the John W. Adams Survey to the northwest corner of said survey;

Thence east along the north lines of the John W. Adams Survey, the M. Johnson Survey, the Elihu Davids Survey and the Thomas Gibbs Survey to the southeast corner of the Pleasant Gray Survey;

Thence north along the west line of the Thomas Gibbs Survey to the northwest corner of said survey;

Thence east along the north line of the Thomas Gibbs Survey to the northeast corner of said survey;

Thence north along the west line of the Harvey Gray Survey to the northwest corner of said survey;

Thence east along the north line of the Harvey Gray Survey to the northeast corner of said survey;

Thence south along the east line of the Harvey Gray Survey to the northwest corner of the Albert G. Gholson Survey;

Thence east along the north line of the Albert G. Gholson Survey to the point of intersection with the west line of the Benson Resin Hoover Survey;

Thence south along the west line of the Benson Resin Hoover Survey to the southwest corner of said survey;

Thence east along the south line of the Benson Resin Hoover Survey to the southeast corner of said survey;

Thence north along the east line of the Benson Resin Hoover Survey to the southwest corner of the Samuel H. Ewing Survey;

Thence east along the south line of the Samuel H. Ewing Survey to the southeast corner of said survey;

Thence north along the east line of the Samuel H. Ewing Survey to the southwest corner of the Sidney H. Millard Survey;

Thence east along the south line of the Sidney H. Millard Survey to the southeast corner of said survey;

Thence south along the west line of the John Caruthers Survey to the southwest corner of said survey;

Thence east along the south line of the John Caruthers Survey to the southeast corner of said survey;

Thence north along the east line of the John Caruthers Survey to the northeast corner of said survey;

Thence east along the south line of the Lewis Duel Survey to the southeast corner of said survey;

Thence north along the east line of the Lewis Duel Survey to the southwest corner of the John Stubblefield Survey;

Thence east along the south line of the John Stubblefield Survey to the southeast corner of said survey;

Thence north along the west line of the Pierre Blanchet Survey to the northwest corner of said survey;

Thence southeast along the northeast line of the Pierre Blanchet Survey and the Edmund Logre Survey to the point of intersection with the east line of Walker County.

#### LIBERTY COUNTY

All of that portion of Liberty County described as follows:

Beginning at the point of intersection of the west line of the Spencer Kirkham Survey with the northwest line of Liberty County;

Thence south along the west line of the Spencer Kirkham Survey to the point of intersection with the north line of the Daniel Donaho Survey;

Thence east along the north lines of the Daniel Donaho Survey and the Moses Donaho Survey to the northeast corner of said Moses Donaho Survey;

Thence south along the west lines of the F. J. C. Smiley Survey and the Elias K. Davis Survey to the southwest corner of said Elias K. Davis Survey;

Thence east along the south line of the Elias K. Davis Survey to the northwest corner of the Thomas Newman Survey;

Thence south along the east line of the Barton Tarkington Survey to the southeast corner of said survey;

Thence east along the north line of the F. H. Votaw Survey to the northeast corner of said survey;

Thence south along the east line of

the F. H. Votaw Survey to the point of intersection with the north line of the Jno. Havard Survey;

Thence west along the north line of the Jno. Havard Survey to the point of intersection with the east line of the Jordan West Survey;

Thence south along the east lines of the Jordan West Survey and the Maurice Smith Survey to the southeast corner of said Maurice Smith Survey;

Thence east along the north line of the John R. Faulk Survey to the northeast corner of said survey;

Thence south along the east lines of the John R. Faulk Survey, the Hugh Means Survey, the Thos. B. Garrett Survey, and the A. H. Booth Survey to the point of intersection with the north line of the G. T. Tabb Survey;

Thence east along the north line of the G. T. Tabb Survey to the northeast corner of said survey;

Thence south along the west lines of the I. & G. N. R. R. Co. Survey and the Richard Green Survey to the southwest corner of said Richard Green Survey;

Thence east along the south line of the Richard Green Survey to the northwest corner of the Reason Green Survey;

Thence south along the east line of the Wm. F. Fisher Survey to the northwest corner of the I. & G. N. R. R. Co. Survey, Patent No. S-713;

Thence east along the north line of the I. & G. N. R. R. Co. Survey, Patent No. S-713, to the northeast corner of said survey;

Thence south along the east lines of the I. & G. N. R. R. Co. Surveys, Patent Nos. S-713 and S-684, to the southwest corner of the Beasley Prewitt Survey;

Thence east along the south line of the Beasley Prewitt Survey to the northwest corner of the Town of Liberty North League;

Thence south along the west line of the Town of Liberty North League to the southwest corner of said league;

Thence west along the north line of the Town of Liberty South League to the northwest corner of said league;

Thence south along the west line of the Town of Liberty South League to the point of intersection of said west line with the northwest right-of-way line of the T. & N. O. R. R.;

Thence southwesterly along said northwest right-of-way line to its intersection with the Cedar Bayou,

which is also the east line of Harris County;

Thence in a southerly direction along the west line of Liberty County, which is also the east line of Harris County, to its intersection with the north boundary line of Chambers County;

Thence east along the north boundary line of Chambers County, which is also the south boundary line of Liberty County, to its intersection with the west line of Jefferson County, which is also the east boundary line of Liberty County;

Thence north along said east line of Liberty County to its intersection with the south right-of-way line of the T. & N. O. R. R.;

Thence in a westerly direction along said right-of-way line to its intersection with the east line of the W. G. R. R. Co. Survey, Patent No. S-40;

Thence north along the east line of said W. G. R. R. Co. Survey, Patent No. S-40, continuing north along the west line of the H. & T. C. R. R. Co. Survey, Patent No. S-496 to the northwest corner of said survey;

Thence east along the north line of said H. & T. C. R. R. Co. Survey, turning northeasterly to follow the northwest line of said H. & T. C. R. R. Co. Survey to the point of intersection of said northwestern line with the southwest line of the Reason W. Boyce Survey;

Thence northwesterly along the southwest line of said Boyce Survey to the point of intersection with the Robert N. Hanney Survey;

Thence along the northwest line of said Boyce Survey to the east corner of said Hanney Survey, being the point where the northeast line of said Hanney Survey intersects the northwest line of said Boyce Survey;

Thence northwesterly along the northeast line of said Hanney Survey, continuing along the northeast line of the John Barron Survey to the point of intersection of the northeast line of said Barron Survey with the south line of the Jessie Devore Survey;

Thence west along the south line of said Devore Survey to the southwestern corner of said Devore Survey;

Thence in a northerly direction along the west line of said Devore Survey to the northeast corner of the Philip P. Dever Survey;

Thence west along the north line of the Philip P. Dever Survey to the southwest corner of the Day Canter Survey;

Thence north along the west line

of the Day Canter Survey to the point of intersection with the south line of the W. S. Swilley Survey, Patent No. 36,610;

Thence east along the south line of the W. S. Swilley Survey to the southeast corner of said survey;

Thence north along the east lines of the W. S. Swilley Survey and the H. & T. C. R. R. Co. Survey to the point of intersection with the south line of the William Smith Survey;

Thence east along the south line of the William Smith Survey to the southeast corner of said survey;

Thence north along the east line of the William Smith Survey to the northeast corner of said survey;

Thence west along the north line of the William Smith Survey to the southeast corner of the Francisco Millom Survey;

Thence north along the east line of the Francisco Millom Survey to the northeast corner of said survey;

Thence west along the north line of the Francisco Millom Survey to the point of intersection with the east line of the Joseph Young Survey;

Thence north along the east line of the Joseph Young Survey to the northeast corner of said survey;

Thence west along the north line of the Joseph Young Survey to the southwest corner of the Thomas Murphy Survey;

Thence north along the west line of the Thomas Murphy Survey to the northeast corner of the D. J. Harrison Survey;

Thence west along the north lines of the D. J. Harrison Survey and the Daniel Cleveland Survey to the southeast corner of the J. Young Survey;

Thence north along the east line of the J. Young Survey to the northeast corner of said survey;

Thence east along the north line of the Thomas Murphy Survey to the northeast corner of said survey;

Thence north along the west lines of the L. D. Nixon Survey, the Lefori Gedruf Survey, and the Mathew S. Miller Survey to the northwest corner of said Mathew S. Miller Survey;

Thence west along the south line of the I. & G. N. R. R. Co. Survey to the southwest corner of said survey;

Thence north along the east line of the Wm. Phelps Survey to the northeast corner of said survey;

Thence west along the north line of the Wm. Phelps Survey to the point of intersection with the east line of the Augustine M. de Lejarza Survey;

Thence north along the east line of

the Augustine M. de Lejarza Survey to the northeast corner of said survey;

Thence east along the south line of the Philip Miller Survey to the southeast corner of said survey;

Thence north along the east line of the Philip Miller Survey to the point of intersection with the south line of the Manuel de los Santos Coy Survey;

Thence east along the north line of the John E. Mayfield Survey to an angle point for corner, said angle point being also the southeast corner of the Manuel de los Santos Coy Survey;

Thence north along the east line of the Manuel de los Santos Coy Survey to the northeast corner of said survey;

Thence west along the north line of the Manuel de los Santos Coy Survey to the point of intersection with the east line of the John Hartgraves Survey;

Thence north along the east line of the John Hartgraves Survey to the northeast corner of said survey;

Thence east along the south line of the Jose Dolores Martinez Survey to the southeast corner of said survey;

Thence north along the east line of the Jose Dolores Martinez Survey to the northeast corner of said survey;

Thence west along the north line of the Jose Dolores Martinez Survey to the southeast corner of the Isaiah Fields Survey;

Thence north along the east line of the Isaiah Fields Survey to the northeast corner of said survey;

Thence west along the north line of the Isaiah Fields Survey to the southeast corner of the Augustin M. de la Lejarza Survey;

Thence north along the east line of the Augustin M. de la Lejarza Survey to the southwest corner of the Joel W. Robison Survey;

Thence east along the south line of the Joel W. Robison Survey to the southeast corner of said survey;

Thence north along the east line of the Joel W. Robison Survey to the point of intersection with the northeast line of Liberty County;

Thence northwest along the northeast line of Liberty County to the point of intersection with the north line of Liberty County;

Thence west along the north line of Liberty County to the point of intersection with the northwest line of Liberty County;

Thence southwest along the northwest line of Liberty County to the point of beginning.

(b) It is hereby found and determined that all of the land thus included in the Authority will be benefited by the exercise of the powers conferred by this Act. No provision of this Act is intended to or shall be applicable outside of the area specifically included in this Section 2 of this Act, anything in this Act to the contrary notwithstanding.

Section 3. (a) All powers of the Authority shall be exercised by a board of directors (hereinafter sometimes called the "Board").

(b) The Board shall consist of 24 directors to be appointed by the Governor with the advice and consent of the Senate, and, when the Legislature is in session, no such appointment shall become effective until it shall have been approved by the Senate. For the purposes of the appointment of directors the Authority is divided into 18 areas, numbered 1 to 18, both inclusive, respectively containing the county as follows:

- Area 1. Tarrant
- Area 2. Dallas
- Area 3. Kaufman
- Area 4. Henderson
- Area 5. Ellis
- Area 6. Navarro
- Area 7. Anderson
- Area 8. Freestone
- Area 9. Leon
- Area 10. Houston
- Area 11. Trinity
- Area 12. Madison
- Area 13. Walker
- Area 14. San Jacinto
- Area 15. Polk
- Area 16. Liberty
- Area 17. Chambers

Area 18. All of the territory contained within the above named 17 areas and 17 counties which shall be known as "The Area-at-Large." 3 directors shall be appointed from Tarrant County; 4 directors shall be appointed from Dallas County; and 2 directors shall be appointed from "The Area-at-Large." One director shall be appointed from each of the other named Areas. The term of each director shall be for 6 years and until his successor shall have been appointed and until he shall have qualified, except that of the directors first appointed, 8 shall serve for 2 years, 8 for 4 years, and 8 for 6 years. The terms of the directors shall expire on the 15th day of March of the year in which their respective terms would terminate under the provisions of this Act. In making the original appointments the Governor will designate the initial term of each such Directors.

The Board has power to appoint an executive committee which will perform the functions of the Board between meetings except as its powers may be restricted in the action setting up the committee.

(c) No person shall be appointed a director unless he resides and owns taxable property within the area from which he is appointed. No officer or employee of a county or city shall be eligible to serve as a director. Each director shall subscribe the constitutional oath and shall give bond in the amount of \$5,000.00, the cost of which shall be paid by the Authority. If any Director moves out of Area from which he is appointed, the Governor shall promptly appoint a director to succeed him.

(d) Each director shall receive a fee of \$10.00 and shall be entitled to reimbursement of his actual expenses, for attending each meeting of the Board. Each director shall also be entitled to receive not to exceed \$10.00 per day devoted to the business of the Authority and to reimbursement for actual expenses incurred in attending such Authority's business, provided that such service and expense are expressly approved by the Board.

Section 4. The Board shall elect from its number a president and a vice president of the Authority and such other officers as in the judgment of the Board are necessary. The president shall preside at meetings of the Board and shall be the chief officer of the Authority and shall have the same right to vote as any other director. The vice-president shall perform all duties and exercise all powers conferred by this Act upon the president when the president is absent or fails or is unable or declines to act. The Board shall appoint a secretary and a treasurer who shall not be members of the Board. Within the discretion of the Board, the offices of secretary and treasurer may be held by one person whose title shall be Secretary-Treasurer. The Treasurer shall give bond in such amount as shall be prescribed by the Board. The Board may appoint a general manager, all necessary engineers, attorneys and other employees.

Section 5. The Authority is hereby invested with all of the powers of the State under Article XVI, Section 59 of the Constitution to effectuate flood control and the conservation and use, for all beneficial purposes, of storm and flood waters and unappropriated

flow waters in the Trinity watershed, subject only to: (i) declaration of policy by the Legislature as to use of water; (ii) continuing supervision and control by the State Board of Water Engineers and any board or agency which may thereafter succeed to its duties; (iii) the provisions of Article 7471 prescribing the priorities of uses for water, and (iv) the rights heretofore or hereafter legally acquired in water by municipalities and other users. Notwithstanding the provisions of Article XVI, Section 59 of the Constitution or of any other statute, nothing in this act shall confer upon the Authority created hereby, any power to encourage, construct, or protect navigation canals or facilities or harbor or terminal facilities within the area described in Section 2 hereof; provided, however, that the Authority shall have the power to cooperate with the Chambers-Liberty Counties Navigation District in the development and construction of navigation canals and facilities or harbor and terminal facilities within the boundaries of the Chambers-Liberty Counties Navigation District. It shall be the duty of the Authority to exercise for the greatest practicable measure of the conservation and beneficial utilization of storm, flood and unappropriated flow waters of the Trinity River watershed in the manner and for the particular purposes specified hereinafter in this Section and elsewhere in this Act, powers, including those:

(a) To store and conserve to the greatest beneficial use such waters, so as to prevent escape of any water without maximum beneficial use either within or outside of Authority.

(b) For the conservation of water for uses within and without the watershed, including providing water supply for cities and towns, and the right to sell water and stand-by service to any person, firm, or corporation, including cities and towns and other public agencies, within and outside the watershed of the Trinity River, provided, however, that the purchasers of conservation storage water for domestic, industrial, or irrigation uses shall not be required to pay any part of the cost of benefits accruing for flood control purposes.

(c) For the conservation of soils and other surface resources against destructive erosion, thereby preventing the increased flood menace incident thereto, and for the prevention of sedimentation and siltation of



lands, channels, reservoirs, and coastal waters, including the right to aid and supplement the work of upstream soil and water conservation and flood prevention projects authorized by State or Federal Agencies in conjunction with Soil Conservation Districts, in furtherance of the "Master Plan" as defined in Section 11.

(d) To provide water for the irrigation of lands within and outside of the watershed.

(e) To provide water for the development of commercial and industrial enterprises, inside and outside the watershed.

(f) Power to execute contracts with municipalities and others involving the construction of reservoirs, dams, water supply lines, water purification and pumping facilities, and the furnishing of water supply service substantially in the manner prescribed by Chapter 342, Acts of the Regular Session of the 51st Legislature for Districts organized and created pursuant to Article XVI, Section 59 of the Constitution, extended so as to permit such contracts with individuals, partnerships, and all classes of corporations.

(g) When, in the judgment of the Authority necessary for the interest of conservation, and subject to the approval of the State Board of Water Engineers, to bring water into the boundaries of the Authority for beneficial uses.

(h) For encouragement and development of recreational facilities and preservation of fish and wild life, the Board of Directors shall have the power and duty to acquire sufficient additional land adjoining any lakes constructed on the Trinity River for purpose of developing recreational facilities and for the purpose of acquiring roads for ingress and egress of the public to said lakes. The Board shall use its discretion in determining the amount of such additional land required for a suitable recreational park, but shall secure approximately twenty (20) per cent of the adjoining lake front, such twenty per cent being intended merely as a guide and not to be construed as a maximum or minimum limitation.

(i) Power to adopt through action of the Board of Directors, any powers, except navigation, permitted under Title 128, Revised Civil Statutes of the State of Texas.

(j) As a necessary aid to the conservation, control, preservation, and distribution of such water for bene-

ficial use, the Authority shall have the power to construct, own and operate sewage gathering, transmission and disposal services, to charge for such service, and to make contracts in reference thereto with municipalities and others.

(k) To adopt all reasonable rules and regulations designed to facilitate the exercise of its rights and the performance of its duties, and to adopt and amend its by-laws.

Section 6. Subject to the limitations as to the maximum rate of tax as prescribed in this section, the Authority may levy and collect such ad valorem taxes as are voted at an election or elections, called by the Board for the purpose and conducted throughout the territory of the Authority. The maximum rate of tax which can be levied and collected for any year shall be 2 cents on the One Hundred Dollars of taxable property based on its assessed valuation. Only qualified electors, owning taxable property within the boundaries of the Authority and who have duly rendered their property for taxation shall be entitled to vote in any such election. An elector otherwise qualified must vote in the County and precinct of his residence. The resolution calling any such election shall state the maximum rate or rates of taxes which are to be authorized. Such notice shall be published at least once in each of four weeks on the same day of each week in a newspaper published in, or having general circulation in, each county within the Authority, the date of the first publication being at least 30 days prior to the date of the election. The resolution calling the election shall specify the voting places in each of the several counties. The notice of election will be sufficient as to any county within the Authority if it states that the election is to be held throughout the territory comprising the Authority and if it specifies the voting places in such county. But it shall not be necessary to publish such details except in the county to which they are applicable. Returns of the election shall be made to the Board. If, and only if, a majority vote of the qualified voters voting in at least a majority of the Counties which are wholly or partially within the Authority, together with a majority vote of the qualified voters voting in the entire Authority, shall be in favor of the levy of the tax, the Board may levy taxes within the maximum rate thus voted. The rate of tax shall be

uniform throughout the territory comprising the Authority, and shall be certified by the President and Secretary of the Authority to the Tax Assessor and the Tax Collector of each included county. After an election has resulted favorably to the levy of a tax, the Board of Directors may borrow money payable therefrom, and may evidence such loan by a negotiable note given in the name of the Authority, and such loans may be for the purpose of providing funds for preliminary surveying and engineering and work in formulating the Master Plan. None of the revenue derived from taxation or from the sale of bonds supported in whole or in part by taxation shall be used by the Authority for the primary purposes of encouraging or constructing of a navigation project within the Trinity River watershed; provided, however, that such revenue may be used by the Authority to cooperate with the Chambers-Liberty Counties Navigation District in a development and construction of navigation projects within the boundaries of the Chambers-Liberty Navigation District.

Section 7. The rendition and assessment of property for taxation and the collection of taxes for the benefit of the Authority shall be in accordance with the law applicable to counties, in so far as such law is applicable. Renditions shall be to the County Tax Assessor of the county in which the property is taxable for State and County purposes. It shall be the duty of the Assessor and Collector in each County to cause to be placed on the County tax rolls such additional column or columns as are needed to show the tax levied by the Authority and the amount thereof, based on the value of such property as approved finally for State and County purposes by the Board of Equalization of such County. The fee for assessing and collecting taxes shall be one-half of one per cent of the taxes collected, such fee to be paid over and disbursed in each county as are other fees of office. All of the laws for the enforcement of State and County taxes shall be available to the Authority. The Authority has the right to cause the officers of each County to enforce the taxes due to Authority in that County, as provided in the law for the enforcement of State and County taxes. Taxes assessed and levied for the benefit of the Authority shall be payable and shall become delinquent at the same time, in the same manner

and subject to the same discount for advance payment as taxes levied by and for the benefit of the County in which the property is taxable.

Section 8. (a) For the purpose of providing funds to defray the expense of preparing the Master Plan, including the payment of engineering expense, as required under Section 11 hereof, and for constructing permanent improvements related to the exercise of any power or powers conferred on it by this Act, the Authority may issue negotiable bonds of three general classes:

(1) Bonds secured by ad valorem taxes, when voted; provided that the maximum rate of tax in any one year to be levied by the Authority for bonds and all other purposes shall not exceed 2¢ on the \$100.00 of taxable property;

(2) Bonds secured solely by a pledge of net revenues accruing to the Authority, including but without limitation those received from sale of water, rendition of services, tolls, charges and from all sources other than ad valorem taxes.

(3) Bonds secured by a combination pledge of net revenues and taxes, to the end that taxes will be collected for such purpose only to the extent that the revenues are insufficient to provide the amount of money necessary to pay operating and maintenance expenses and to service the bonds as prescribed in the resolution authorizing, or the indenture securing, the bonds.

(b) The Authority has the power to issue bonds prescribed in subsection (a) paragraph (2) hereof by action of its Board of Directors and without the necessity of an election. Bonds to be issued pursuant to paragraphs (1) and (3) of this subsection (a) can be issued only after authorization at an election held for such purpose throughout the territory comprising the Authority. Such elections shall be conducted substantially in accordance with the procedure prescribed in Section 6 for elections authorizing ad valorem taxes. The qualifications of voters at bond elections shall be the same as those prescribed in Section 6 for elections on the authorization of ad valorem taxes.

(c) Bonds of the Authority shall be authorized by resolution adopted by the Board and shall be signed by the President or Vice-President, attested by the Secretary, and the seal of the Authority shall be impressed thereon; but within the discretion of the Board,

as evidenced by the resolution, bonds may be issued bearing the facsimile signature of the President or Vice-President and the seal of the Authority may be printed thereon, but the signature of the Secretary in such cases must be manually affixed. Bonds shall mature serially or otherwise within such period and at such times as may be prescribed in the resolution, not exceeding a maximum of 50 years. The bonds may be sold at a price and under terms determined by the Board to be most advantageous reasonably obtainable, provided that the interest cost to the Authority calculated by use of standard bond interest tables currently in use by insurance companies and investment houses does not exceed 6% per annum, except that bonds payable wholly or partially from taxes shall bear not to exceed Four and One-half (4½%) per cent per annum, and within the discretion of the Board may be made callable prior to maturity at such times and prices as may be prescribed in a resolution authorizing the bonds. The bonds may be registerable as to principal, or as to both principal and interest. Appropriate provisions may be inserted in the resolution authorizing the execution and delivery of bonds for the conversion of registered bonds into bearer bonds and vice versa. Provisions may be made in the bond resolution or trust indenture for the substitution of new bonds for those lost or mutilated. When bonds shall have once been approved by the Attorney General and registered by the Comptroller as prescribed in subsection (1) of this Section 8 it shall not be necessary to obtain the approval of the Attorney General or registration by the Comptroller as to such converted or substituted bonds.

(d) Bonds secured wholly or in part by a pledge of the revenues of the Authority may be secured by all or that part of the net revenues specified in the resolution authorizing the bonds or in the indenture securing the bonds. In making any such pledge of the revenues the right under the conditions therein specified to issue additional bonds which will be on a parity with or subordinate to the bonds then being issued, may be expressly reserved. The term "net revenues" as used in this Section, shall mean the gross revenues of the Authority after deduction of the amount necessary to pay the cost of maintaining and operating the Authority and its properties.

(e) Where bonds are issued payable wholly from ad valorem taxes it shall be the duty of the Board at the time of their authorization to levy a tax sufficient to pay the principal of and interest on the bonds as such interest and principal become due, and to provide the reserve funds as prescribed in the resolution authorizing or the trust indenture securing the bonds, having due regard for the maximum rate of tax which is permitted under this Act.

(f) Where the bonds are payable both from ad valorem taxes and from the net revenues of the Authority, or a part of the net revenues of the Authority, an ad valorem tax shall be levied at the time of the authorization of the bonds sufficient to pay such principal and interest and create and maintain such reserve funds, but the rate of tax actually to be collected for any year, shall be so fixed as to take into consideration the money which shall have been in the interest and sinking fund from the pledged revenues and which will be available for payment of principal and interest and for the creation of such reserve funds, to the extent and in the manner permitted by the resolution authorizing or the trust indenture securing the bonds.

(g) Where bonds are payable wholly from net revenues, it shall be the duty of the Board of Directors to fix, and from time to time to revise the rates, tolls, and charges for the sales and services rendered by the Authority, the revenues from which are pledged, to the end that such rates, tolls, and charges, will yield sufficient money to pay: the expense of operating and maintaining the facilities of the Authority, the principal of and interest on said bonds as such principal and interest matures, and to create, and maintain the reserve funds and other funds as prescribed in the resolution authorizing, or the trust indenture securing, the bonds. Where the bonds are payable both from ad valorem taxes and from revenues, it shall be the duty of the Board to fix, and from time to time to revise, the rate of compensation for water sold and services rendered by the District which will be sufficient to assure compliance with the resolution authorizing the bonds or the trust indenture securing them.

(h) From the proceeds of the sale of any issue of bonds the Authority may set aside an amount for the payment of interest anticipated to accrue

during the construction period and for two additional years, and to provide for a deposit into the reserve for the interest and sinking fund to the extent prescribed in the resolution authorizing or the trust indenture securing the bonds. Proceeds from the sale of the bonds shall be used for construction purposes and may be used for the payment of all expenses necessarily incurred in accomplishing the purposes for which the Authority is created, including the expense of issuing and selling the bonds. But no expenditure of such proceeds shall be made in violation of provisions contained in the resolution authorizing or the trust indenture securing the bonds.

(i) In the event of a default or a threatened default in the payment of principal or interest on bonds payable wholly or partially from revenues, any court of competent jurisdiction may, upon petition of the holders of outstanding bonds, appoint a receiver with authority to collect and receive all income of the Authority except taxes, employ and discharge agents and employees of the Authority, take charge of funds on hand (except funds received from taxes unless commingled) and manage the proprietary affairs of the Authority without consent or hindrance by the Directors. Such receiver may also be authorized to sell or make contracts for the sale of water or renew such contracts with the approval of the court appointing him. The court may vest the receiver with such other powers and duties as the court may find necessary for the protection of the holders of the bonds. The resolution authorizing the issuance of the bonds or the trust indenture securing them may limit or qualify the rights of the holders of less than all of the outstanding bonds payable from the same source to institute or prosecute any litigation affecting the Authority's property or income.

(j) Pending the issuance of definitive bonds the Board may authorize the delivery of negotiable interim bonds or notes, eligible for exchange or substitution, by use of definitive bonds.

(k) The Authority is authorized to issue refunding bonds for the purpose of refunding any outstanding bonds and interest thereon, authorized by this Act or any other indebtedness which the Authority may lawfully assume. Such refunding bonds may be issued to refund more than one series of outstanding bonds and may for the

benefit of the refunding bonds combine the pledges securing such outstanding bonds and may inject additional security for the refunding issue. Refunding bonds shall be registerable by the Comptroller of Public Accounts upon surrender and cancellation of the bonds to be refunded, but in lieu of such procedure the resolution authorizing the issuance of the refunding bonds may provide that they shall be sold and the proceeds thereof deposited in the bank, or in one or more of the banks where the original bonds are payable. In the latter case, the refunding bonds may be issued in an amount sufficient to pay the interest on the original bonds to their maturity date, or to the date on which the bonds are to be redeemed, and the amount of the call premium, if any, as to bonds called for redemption prior to maturity, and in such an event the Comptroller shall register the refunding bonds without the concurrent surrender and cancellation of the original bonds. No election shall be necessary in connection with the authorization and issuance of refunding bonds.

(l) No bonds shall be issued by the Authority until they shall have been approved by the Attorney General of the State of Texas. After the bonds shall have been approved by the Attorney General and registered by the Comptroller of Public Accounts of the State of Texas they shall be negotiable and incontestable, provided that when the bonds of an issue shall have been thus approved and registered, the bonds thereafter delivered by the Authority in lieu thereof, pursuant to subsection (c) of this Section, in connection with the exchange of registered for unregistered bonds, or unregistered bonds for registered bonds, or in lieu of lost or mutilated bonds, need not be re-approved by the Attorney General or re-registered by the Comptroller of Public Accounts. Nevertheless, such bonds shall likewise be incontestable, and except for the limitations resulting from registration shall be negotiable.

(m) Any bonds (including refunding bonds) authorized by this Act, and not payable wholly from ad valorem taxes, may be additionally secured by a trust indenture under which the Trustee may be a bank having trust powers which may be situate either within or outside of the State of Texas. Such trust indenture may contain provisions prescribed by the Board for the security of the bonds

and the preservation of its properties, contracts, and rights. It may contain a provision for the amendment or modification thereof in the manner therein prescribed. Without limiting the generality of the provisions which may be contained in the indenture, it may provide that the Authority shall comply with the requirements of designated consulting engineers for the proper maintenance and operation of Authority's properties and for the fixing of adequate tolls, charges and rates, to assure proper maintenance and operation, and to provide proper debt service for the outstanding bonds in the manner prescribed in the resolution authorizing the issuance of the bonds or in the trust indenture securing the bonds.

(n) The proceeds from the sale of any issue of bonds may, within the discretion of the Board, be invested during the period of construction or prior to their use for construction purposes, in bonds or other direct obligations of the United States Government, and such securities may be sold pursuant to the directions of the Board as and when needed for construction purposes.

Section 9. The accomplishment of the purposes stated in this Act being for the benefit of the people of this State and for the protection and improvement of their properties and industries, the Authority, in carrying out the purposes of this Act, will be performing an essential public function under the constitution and shall not be required to pay any tax or assessments on its properties, or on any part thereof, and the bonds issued hereunder and their transfer and the income therefrom, including the profits made on the sale thereof, shall at all times be free from taxation within this State.

Section 10. All bonds of the Authority shall be and are hereby declared to be legal and authorized investments for banks, savings banks, trust companies, building and loan associations, savings and loan associations and insurance companies. Such bonds shall be eligible to secure the deposit of any and all public funds of the State of Texas and any and all public funds of cities, towns, villages, counties, school districts, or other political corporations or subdivisions of the State of Texas, and such bonds shall be lawful and sufficient security for said deposits to the extent of the principal amount thereof, or of their value on the market,

whichever is the lesser, when accompanied by all unmatured coupons appurtenant thereto.

Section 11. It shall be the duty of the Authority to prepare a master plan, for the maximum development of the soil and water resources of the entire Trinity River watershed, including plans for the complete utilization, for all economically beneficial purposes, of the water resources of the watershed. That portion of the Master Plan and any amendments thereto relating to soil conservation and upstream flood prevention structures shall be prepared by the soil conservation districts on the Trinity River Watershed, subject to approval by the State Soil Conservation Board. The Master Plan shall be filed with and approved by the State Board of Water Engineers. Notwithstanding any provision of this Act, the portion of the Master Plan pertaining to the designation of major reservoir sites on Chambers Creek shall not be effective unless and until approved by Ellis County Drainage District No. 1 and any designation of major reservoir sites on Waxahachie Creek other than the Bardwell site shall not be effective unless and until approved by Ellis County Water Improvement District No. 1. The Master Plan may be amended or supplemented from time to time by the Authority, provided that a copy of such amendment or supplement to the Master Plan shall be filed with and approved by the Board of Water Engineers.

Section 12. After the Master Plan shall have been filed with the State Board of Water Engineers, the plan of any water development proposed within the watershed of the Trinity River not now or hereafter exempted by law from requirement for procuring a permit shall be submitted to the Board of Water Engineers, and a copy thereof shall be furnished to the Board of Directors of the Authority, which shall make its recommendations in reference to the proposed development to the State Board of Water Engineers within 60 days after receipt of the copy of such water development plan. The State Board of Water Engineers shall hold a hearing at which the proponents of the proposed development and the Authority shall have an opportunity to present their evidence and recommendations to the State Board of Water Engineers. The State Board of Water Engineers shall approve or disapprove such proposed water development notwithstanding

any provision of the Master Plan in accordance with the provisions of Chapter 1, Title 128, Revised Civil Statutes, as amended.

Section 13. Any construction contract or contract for the purchase of material, equipment or supplies requiring an expenditure of more than Five Thousand Dollars (\$5,000) shall be made to the lowest and best bidder after publication of a notice to bidders once each week for two (2) weeks before awarding the contract. Such notice shall be sufficient if it states the time and place when and where the bids will be opened, the general nature of the work to be done, or the material, equipment or supplies to be purchased, and states where and the terms upon which copies of the plans and specifications may be obtained. The publication shall be in a newspaper or other publication designated by the Board of Directors.

Section 14. (a) The enactment of this law shall not have the effect of preventing the organization of conservation districts or of preventing boundary changes of such districts within the boundaries of the Authority as authorized in Article XVI, Section 59, of the Constitution, or as prescribed in Article III, Section 52 of the Constitution. After the Master Plan of the Authority shall have been prepared and after it shall have been filed with and approved by the Board of Water Engineers as prescribed in Section 11, the procedure prescribed in said Section shall be followed. Until the Master Plan shall have been filed with and approved by the Board of Water Engineers, it shall be the duty of the sponsors of any such District to file with the Board of Directors of the Authority information as to proposed plans of the District, and it shall be the duty of any existing District within the Trinity River Watershed, to file with the Board of Directors of the Authority information as to its planned improvements so that the Authority may make its recommendations within sixty days from date of filing of such information with the Authority to the State Board of Water Engineers.

(b) To the extent that the creation of any such District, or the prosecution of its planned improvements are in harmony with the objectives of the Authority, it shall be the duty of the Authority to cooperate in every practical manner with the sponsors of such proposed District or such existing District in the prosecution of its

proposed improvements. It shall be the duty of the Authority to encourage such improvements in local areas where the expense of the project is to be borne principally by the local property owners. To the extent that the Authority is capable financially of cooperating and to the extent that the local agency will be performing a service which is the duty of the Authority it shall, within the discretion of the Board of Directors of the Authority, cooperate financially in such improvements.

(c) The Authority, within its ability, is authorized to cooperate with any such District, or with any other municipal or public agency in the watershed of the Trinity River, in providing a water supply to the extent that such project is feasible, in such manner that the needs of such District, Municipality, or Public Agency, are fully met, but with the provision that water not needed for such purposes will continue to be available for the uses and purposes of the Authority. The Board is authorized to issue the Authority's bonds for the purpose of cooperating in such projects.

(d) Notwithstanding any other provisions of this Act, the Authority shall have no control over soil conservation districts created in any County or Counties of its territory but may assist in the accomplishment and coordination of storm, flood and unappropriated flow waters throughout the watershed consistent with the objectives of the soil conservation districts in the watershed area; the Authority may assist in the conservation of soil and other surface resources against destructive erosion, thereby preventing the increase of flood menace incident thereto and to prevent sedimentation and siltation of lands, channels and reservoirs and coastal waters, including the right to aid and assist in the work of upper stream soil and water conservation and flood prevention projects by the State Soil Conservation Board of Texas; may assist in any upstream watershed project of any soil conservation district, particularly those above the Navarro Mills, Italy and Bardwell reservoir sites and the major reservoir program on Richland and Chambers Creeks; or may encourage and, when requested, aid financially (1) in the construction of any upstream project or program planned or promoted by any soil conservation district on the watershed of the Trinity River below the watersheds of upper Keechi Creek

and Elkhart Creek, and (2) in the completion of upstream programs planned by the Soil Conservation Districts in the watershed of the Trinity River above and including the watersheds of Upper Keechi Creek and Elkhart Creek. Provided further, that this Authority shall have no power to control or direct or have any supervisory responsibility to determine the feasibility, negotiate, deal or contract with the Federal government agencies relating to Federal projects under Public Law 566, Eighty-Third Congress, Chapter 656, Second Session, HR 6788, and amendments thereto, or under any other Federal law in which the problems relating to water are merely incidental to soil conservation projects and, as respects which projects, the State Soil Conservation Board is now or may hereafter promote and supervise and has the responsibility and authority on behalf of the State to deal with the Federal governmental agencies relating thereto.

(e) It is, however, further provided that if the electors of any defined area or areas acting jointly within this Authority desire, they may become a water control and improvement district for the purpose of independently providing, operating, and maintaining improvements designed peculiarly to serve such defined area. Such contained defined area may be so constituted under the applicable provisions of said Chapter 25 of the General Laws of the Regular Session of the Thirty-ninth Legislature. In like manner any other political subdivision of the State of Texas being in whole or in part in this Authority may independently provide, maintain, and operate works peculiarly designed to benefit such body politic. In either case, however, such works and the operation thereof shall be constructed and operated in such manner as will conform to this Authority's plan to the greatest practicable degree.

(f) Nothing in this Act shall be construed to diminish, or in any other manner, affect the right of any municipality or other political subdivision, person, firm and corporation to operate a water supply system or to drill or operate wells using subterranean waters.

Section 15. The Authority is authorized specifically to cooperate with any Agency situated within the boundaries of the Trinity River Authority to the extent of paying the costs of local improvements which will have the effect of relieving the Authority of

any duty it might have for providing such improvements, to the extent that the Authority might have money or revenues available for such purpose, and when in the opinion of the Board of Directors such cooperation or contribution is justified.

Section 16. (a) The Authority may make contracts with the United States its Agencies, the State of Texas, its agencies, all municipal corporations, political subdivisions and districts, and with private persons. It may obtain loans from, and accept grants from the United States and its Agencies, and from the State of Texas, and its agencies, and it shall have the right to participate in and be the beneficiary of any plan which may be involved by the State or Federal Government for guaranteeing or otherwise subsidizing the obligations of the Authority; provided, however, that none of such loans, grants or plans shall be obtained or accepted for the purposes of encouraging, constructing or maintaining navigation canals or facilities or harbor or terminal facilities outside of the boundaries of the Chambers-Liberty Counties Navigation District.

(b) Without limitation as to the exercise of such general powers the Authority has the right to acquire from the United States Government through the Secretary of the Army, or from any other official of the United States Government authorized to make such contracts, unsold conservation storage at the several multi-purpose dams constructed by the Army within or available to the Trinity River watershed. It may acquire additional conservation storage which may be provided at any such dam.

(c) The Authority may use any contract authorized by this Section as the sole or as a supplement to the basis for securing its bonds.

Section 17. In addition to all other powers, the Authority is authorized to construct, acquire, equip, to acquire storage rights at, and operate dams and reservoirs, which in the opinion of the Board of Directors are useful in carrying out the powers conferred upon it, whether any such dam is designed to serve a single purpose or several purposes permitted under this Act. It is authorized to provide water supply lines, water purification, and pumping facilities. It may execute contracts with municipalities in the State substantially in the manner prescribed by Chapter 342, Acts of the Regular Session of the



51st Legislature, for Districts organized or created pursuant to Article XVI, Section 59 of the Constitution, and may execute water supply contracts with other users of water. Included in the services for which the Authority may contract, and for which it may make charges is that of standby service, as well as for the actual delivery of water. If any dam is constructed which will result in the impairment of gravity drainage of water from lands protected by any levee in existence at the time this Act becomes effective, the Authority shall, at its cost, make provision for the installation, maintenance and operation of pumping facilities or provide a gravity system for the drainage of such land.

Section 18. (a) Recognizing the fact that Chambers-Liberty Counties Navigation District has heretofore filed with the State Board of Water Engineers a Presentation under which it is investigating the feasibility of a large storage reservoir upstream from the City of Liberty, situated partially in Liberty County and that the authority should acquire the right under such Presentation to continue such studies and thereafter to file an application for a permit to construct, own and operate such reservoir, all such rights are hereby vested in the Authority and said District is directed to make a transfer of its rights to the Authority; provided, however, that unless the Authority shall have obtained a permit to construct, own and operate such reservoir and shall have actually commenced such construction within eight (8) years from the effective date of this act, unless such time of commencement of such construction shall have been extended by mutual agreement between said district and the Authority, all such rights shall be divested of the Authority and revested in the Chambers-Liberty Counties Navigation District without prejudice to the rights of such district to pursue the then existing presentation or to file a new presentation on the same or similar location. Accordingly, the Authority, in carrying out the powers and duties secured to it hereunder and in the operation of any water development or conservation projects hereunder, shall do so in such manner as not to impair the flow of the Trinity River to the detriment of the vested rights of users downstream. The Authority shall not store such storm, flood and flow waters as are then needed by any downstream appropriators

to satisfy the amount of water authorized to be appropriated by presently existing and valid water permits and certified filings. In the event of a violation of the next preceding sentence, the downstream appropriators shall have the right, and are hereby authorized and empowered, to require by any and all lawful means, the release by the Authority of such storm, flood and flow waters so stored. Nothing in this Act shall have the effect of altering, changing, or impairing any existing rights or privileges to appropriate and use water from the Trinity River, but all persons, firms, corporations, including cities and towns and water control and improvement districts, municipal and other political subdivision, having any such rights or privileges shall continue to have the same, as if this Act had not been passed. Nothing in this Act shall have the effect of altering, changing or impairing any existing rights or privileges to apply to the State Board of Water Engineers for, and if approved by the State Board of Water Engineers, to retain or obtain permits to appropriate and use water from the Trinity River, but all persons, firms and corporations, including cities and towns and water control and improvement districts and other municipal or political subdivisions within and without the watershed shall continue to have such existing rights and privileges the same as if this act had not been passed.

(b) The Authority shall have the responsibility, both financially and otherwise, for the construction of a salt water barrier with barge lock in the Trinity River at a location and of a design approved by the Chambers-Liberty Counties Navigation District, which will protect the users of fresh water for irrigation purposes; construction of such salt water barrier with barge lock shall be commenced prior to September 1, 1963.

(c) The basis for the obligations on the part of the Authority as hereinabove set out in this section is in the fact that the said Chambers-Liberty Counties Navigation District, and certain companies operating therein, own water rights, are irrigating lands, and are the beneficiaries of the presentation hereinabove mentioned and because the operation of the Authority would injure properties within said district and those served by the companies operating within said district, unless the salt water barrier is constructed, and in the fact that such



interested parties will be releasing their rights under the presentation to investigate feasibility of and to construct the upstream reservoir.

(d) The Authority is authorized to make contracts under which it shall hold in reserve specified amounts of water, then to be available, for the benefit of other purchasers, including but without limitation, as to the generality of the term, cities, towns, other public agencies, persons, firms and corporations, including water control and improvement districts and other political subdivisions within or without the watershed of the Trinity River, to the extent that a firm contract shall have been made with the Authority prior to the financing of such upstream reservoir, said water and service to be paid for at a rate mutually agreed upon by the Authority and any such purchaser.

Section 19. (a) The Board of Directors shall designate one or more banks within the Authority to serve as depository for the funds of the Authority. All funds of the Authority shall be deposited in such depository bank or banks except that funds pledged to pay bonds may be deposited with the trustee bank named in the trust agreement, and except that funds shall be remitted to the bank of payment for the payment of principal of and interest on bonds. To the extent that funds in the depository banks and the trustee banks are not insured by the F. D. I. C. they shall be secured in the manner provided by law for the security of county funds.

(b) Before designating a depository bank or banks, the Board of Directors shall issue a notice stating the time and place when and where the Board will meet for such purpose and inviting the banks in the Authority to submit applications to be designated depositories. The term of service for depositories shall be prescribed by the Board. Such notice shall be published one time in a newspaper or newspapers published in the Authority and specified by the Board.

(c) At the time mentioned in the notice, the Board shall consider the applications and the management and conditions of the banks filing them, and shall designate as depositories the bank or banks which offer the most favorable terms and conditions for the handling of the funds of the Authority and which the Board finds have proper management and are in condi-

tion to warrant handling of Authority funds. Membership on the Board of Directors of an officer or director of a bank shall not disqualify such bank from being designated as depository.

(d) If no applications are received by the time stated in the notice, the Board shall designate some bank or banks within or without Authority upon such terms and conditions as it may find advantageous to the Authority.

Section 20. The Authority shall have the same power to make provision for the protection of its properties and water supply as is provided by general law for water control and improvement districts.

Section 21. The Board shall have full power to employ agents, attorneys, engineers, and other employees which in its discretion are necessary in carrying out its objectives. Without limitation of the generality of such power it may employ fiscal agents or advisers in connection with its financing program and in connection with the issuance of its bonds.

Section 22. The Board shall have the right to sell or exchange property when within its discretion such action is in the best interests of the Authority.

Section 23. The Authority shall have full power to acquire within or outside of its boundaries property, real and personal, including easements, through purchase, gift, or exchange, such as in the judgment of the Board of Directors is needed to accomplish the objectives of the Authority, and to purchase the properties and facilities of any other district within the Authority created under Article III, Section 52, or Article XVI, Section 59 of the Constitution and to assume the indebtedness thereof.

Section 24. The Authority is authorized and required to acquire water appropriation permits directly from the Board of Water Engineers of the State of Texas and may purchase permits from owners thereof. The Authority is also authorized to purchase water, or a water supply, from any person, firm, corporation or public agency, or from the United States or its agencies. Nothing in this Act shall impair the authority granted to the State Board of Water Engineers under the general laws of Texas to prescribe rates governing the sale of surface water by or to the Authority.

Section 25. (a) For the purpose of

carrying out any power or authority conferred by this Act the Authority shall have the right to acquire land, property and easements within the Authority (including lands above the probable high water line around any reservoir) by condemnation in the manner provided by Title 52, Revised Civil Statutes, as amended, relating to eminent domain. This Authority is hereby declared to be a municipal corporation within the meaning of Article 3268 of said Title 52. The amount of and character of interest in land and easements thus to be acquired shall be determined by the Board; provided, however, that the Authority shall only acquire such land, property, and easements as is reasonably necessary.

(b) In the event that the Authority, in the exercise of the power of eminent domain or power of relocation, or any other power granted hereunder, makes necessary the relocation, raising, rerouting or changing the grade, of, or altering the construction of any highway, railroad, electric transmission line, telephone or telegraph properties and facilities, or pipeline, all such necessary relocation, raising, rerouting, changing the grade or alteration of construction shall be accomplished at the sole expense of the Authority.

Section 26. All powers herein vested in the State Board of Water Engineers shall be vested in any Board or agency which hereafter might succeed to the principal powers now vested in the State Board of Water Engineers.

Section 27. If any provision of this Act, or the application thereof, to any person or circumstance shall be held to be invalid or unconstitutional, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.

Section 28. (a) No provision of this Act is intended to or shall in any manner impair or change any of the powers, rights or privileges now enjoyed and/or heretofore conferred upon the North Texas Municipal Water District, the Tarrant County Water Control & Improvement District No. 1, Chambers-Liberty Counties Navigation District, or the municipalities within the Authority area, but each such district and such municipalities shall have, keep and forever retain all of the powers conferred by law and otherwise rightfully acquired on and by such bodies, anything in this Act to the contrary notwithstanding.

(b) No provision of this Act is intended to or shall in any manner apply to any presentation or applications for a permit which any municipality within the Trinity River Authority has pending before or may file with the State Board of Water Engineers within three (3) years after the effective date of the Act, anything in this Act to the contrary notwithstanding.

Section 29. It is found and declared to be the intent of the Legislature that the powers, authority and duties herein granted the Trinity River Authority in this Act shall be applicable only in the counties expressly named in Section 2 of this Act, and in no other county or counties of this State, anything in this Act to the contrary notwithstanding.

Section 30. No provision of this Act shall be construed to affect, alter, or impair riparian rights.

Section 31. The authority or jurisdiction of the Trinity River Authority shall be expressly confined to counties enumerated in Section 2 and Section 3b of this Act and counties or parts of counties within the Trinity River watershed which are not mentioned in the above sections are expressly outside the jurisdiction and authority of said Trinity River Authority, and are in no way affected by the provisions of this Act.

Section 32. The fact that the improvements contemplated by this Act are immediate and urgently needed, creates an emergency and an imperative public necessity requiring that the constitutional rule that bills be read on three several days be suspended, and such rule is hereby suspended, and that this Act take effect from and after its passage, and it is so enacted.

The report was read.

(Pending discussion by Senator Martin of the report Senator Rogers of Travis occupied the Chair.)

(President in the Chair.)

The report was adopted by the following vote:

Yeas—20

Aikin	Latimer
Bracewell	Lock
Colson	McDonald
Fuller	Moffett
Hazlewood	Moore
Kelley	Owen
Lane	Parkhouse

Phillips	Shireman
Roberts	Strauss
Rogers of Travis	Willis

## Nays—7

Corbin	Martin
Fly	Ratliff
Hardeman	Rogers
Kazen	of Childress

## Absent

Ashley	Secrest
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## Absent—Excused

Wagonseller	Weinert
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## Senate Concurrent Resolution 82

Senator Secrest offered the following resolution:

S. C. R. No. 82, Congratulating the Santa Fe Railroad on 75th Anniversary:

Whereas, On June 29, 1955, the City of Temple and Central Texas will celebrate the 75th Anniversary of the entering into this beautiful and prosperous central portion of Texas the Santa Fe Railroad whose operations have become an integral part of the economy of this area; and

Whereas, This historic event is to be celebrated with a mammoth public observance to be spearheaded by the Temple Chamber of Commerce, the Temple Daily Telegram, and the City of Temple; and

Whereas, This Diamond Jubilee celebration also recognizes the prosperity and progress which this entire section has experienced, together with the loyal and efficient service rendered by the Santa Fe Railroad, whose rich and pioneering history is closely intertwined with the history and traditions of Central Texas; and

Whereas, Mr. F. G. Gurley, President and Chairman of the Committee of the Atchison, Topeka and the Santa Fe Railway, whose personal pioneering spirit has made him one of the truly outstanding and colorful figures of the industrial community of the nation, is honoring this celebration with his personal attendance; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that the Santa Fe Railroad be congratulated upon reaching this significant milestone and that this progressive institution be commended for its pioneering and forward-looking spirit and that copies of this resolution be furnished Mr. F. G. Gurley,

President and Chairman of the Committee of the Atchison, Topeka and the Santa Fe Railway; Honorable Roy Strasburger, Mayor of the City of Temple; Mr. L. Frank Jones, President, Temple Chamber of Commerce; and Mr. Frank Mayborn, Publisher, Temple Daily Telegram.

The resolution was read.

On motion of Senator Secrest and by unanimous consent the resolution was considered immediately and was adopted.

## House Bill 969 on Second Reading

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 969, A bill to be entitled "An Act establishing the Titus County Juvenile Board; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

## House Bill 969 on Third Reading

Senator Aikin moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 969 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—27

Aikin	Moffett
Bracewell	Moore
Colson	Owen
Corbin	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Martin	Strauss
McDonald	Willis

## Absent

Ashley	Lock
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## Absent—Excused

Wagonseller	Weinert
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### House Bill 740 on Second Reading

On motion of Senator Moore and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 740, A bill to be entitled "An Act making it unlawful to take, trap, hunt, kill, or attempt to kill wild deer in Washington County, for a period of five (5) years from and after October 15, 1955; providing a penalty; and declaring an emergency."

The bill was read second time and passed to third reading.

#### House Bill 740 on Third Reading

Senator Moore moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 740 be placed on its third reading and final passage.

The motion prevailed by the following vote:

##### Yeas—29

Aikin	McDonald
Ashley	Moffett
Bracewell	Moore
Colson	Owen
Corbin	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Willis

##### Absent—Excused

Wagonseller      Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Senate Bill 396 on Second Reading

On motion of Senator Martin and by unanimous consent, the regular

order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment.

S. B. No. 396, A bill to be entitled "An Act providing that the current appropriation to the Court of Criminal Appeals for equipment, law books, and other property may be used for other operating expenses of the Court during the fiscal year ending August 31, 1955."

The bill was read second time and passed to engrossment.

#### Senate Bill 396 on Third Reading

Senator Martin moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 396 be placed on its third reading and final passage.

The motion prevailed by the following vote:

##### Yeas—29

Aikin	McDonald
Ashley	Moffett
Bracewell	Moore
Colson	Owen
Corbin	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Willis

##### Absent—Excused

Wagonseller      Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

##### Yeas—29

Aikin	Lane
Ashley	Latimer
Bracewell	Lock
Colson	Martin
Corbin	McDonald
Fly	Moffett
Fuller	Moore
Hardeman	Owen
Hazlewood	Parkhouse
Kazen	Phillips
Kelley	Ratliff

Roberts	Secrest
Rogers	Shireman
of Childress	Strauss
Rogers of Travis	Willis

Absent—Excused

Wagonseller	Weinert
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#### Senate Bill 360 with House Amendments

Senator Kazen called S. B. No. 360 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Kazen moved that the Senate concur in the House amendments.

The motion prevailed.

#### House Concurrent Resolution 187 on Second Reading

On motion of Senator Lane and by unanimous consent the President laid before the Senate on its second reading the following resolution:

H. C. R. No. 187, In memory of Richard W. Burnett.

The resolution was read.

On motion of Senator Parkhouse the names of the Lieutenant Governor and all of the Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.

#### House Bill 959 on Second Reading

On motion of Senator McDonald and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 959, A bill to be entitled "An Act creating a Court of Domestic Relations for Smith County; etc.; and declaring an emergency."

The bill was read the second time.

Senator McDonald offered the following amendment to the bill:

Amend H. B. No. 959 by changing the period at the end of Section 1 to a semicolon and adding the following:

"provided, however, that the provisions of this Act shall not become

operative until the Commissioners Court of Smith County enters an order adopting same. The Commissioners Court may adopt the provisions of this Act only if the qualified voters of Smith County express their will that such Court be established in Smith County in an election called for that purpose as provided for in Section 1-A of this Act."

The amendment was adopted.

Senator McDonald offered the following amendment to the bill:

Amend House Bill No. 959 by adding a new section between Section 1 and Section 2 of the bill, said new section to be numbered Section 1-A, to read as follows:

"Section 1-A. The Commissioners Court may upon its own motion at any time after the effective date of this Act call an election to determine whether there shall be created and established in Smith County a Court of Domestic Relations. The issue submitted to the qualified voters at the election shall be by ballot upon which shall be printed:

"FOR the creation of a Court of Domestic Relations in and for Smith County."

"AGAINST the creation of a Court of Domestic Relations in and for Smith County."

The Commissioners Court must call such an election when petitioned by five per cent (5%) of the qualified voters in Smith County as determined by the number of votes cast in the last General Election for Governor.

If a majority of the qualified voters voting at the election, votes for the creation of the Court of Domestic Relations in and for Smith County, the Commissioners Court shall immediately enter an order adopting the provisions of this Act.

If a majority of the qualified voters voting at the election, vote against the creation of the Court of Domestic Relations in and for Smith County, the provisions of this Act shall expire and have no force and effect thereafter."

The amendment was adopted.

Senator McDonald offered the following amendment to the bill:

Amend House Bill No. 959 by striking from the first line of Section 4 the following words: "on the effective

date of this Act" and substituting therefor the following:

"if a majority of the qualified voters voting at the election here and above referred to have voted for the creation of the Court of Domestic Relations in and for Smith County,"

The amendment was adopted.

Senator McDonald offered the following amendment to the bill:

Amend Section 22 of House Bill No. 959 so that the same shall read hereafter as follows:

"The Judges of the 7th and 114th Judicial Districts and the County Court of Smith County shall continue to comprise the Juvenile Board of Smith County, Texas, as is now provided by law, but shall receive no compensation for their services as members of the Juvenile Board of Smith County, Texas."

The amendment was adopted.

On motion of Senator McDonald, and by unanimous consent, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to third reading.

#### House Bill 959 on Third Reading

Senator McDonald moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 959 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	McDonald
Ashley	Moffett
Bracewell	Moore
Colson	Owen
Corbin	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Willis

Absent—Excused

Wagonseller      Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	McDonald
Ashley	Moffett
Bracewell	Moore
Colson	Owen
Corbin	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Willis

Absent—Excused

Wagonseller      Weinert

#### House Bill 434 on Second Reading

On motion of Senator Latimer, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 434, Appropriation to Department of Health for administering the Nursing and Convalescent Homes Licensing Law, etc., and declaring an emergency.

The bill was read second time and was passed to third reading.

#### House Bill 434 on Third Reading

Senator Latimer moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 434 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Kazen
Ashley	Kelley
Bracewell	Lane
Colson	Latimer
Corbin	Lock
Fly	Martin
Fuller	McDonald
Hardeman	Moffett
Hazlewood	Moore

Owen	Rogers of Travis
Parkhouse	Secrest
Phillips	Shireman
Ratliff	Strauss
Roberts	Willis
Rogers of Childress	

## Absent—Excused

Wagonseller	Weinert
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—29

Aikin	McDonald
Ashley	Moffett
Bracewell	Moore
Colson	Owen
Corbin	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Willis

## Absent—Excused

Wagonseller	Weinert
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## House Bill 967 on Second Reading

Senator Martin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 967 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—29

Aikin	McDonald
Ashley	Moffett
Bracewell	Moore
Colson	Owen
Corbin	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Willis

## Absent—Excused

Wagonseller	Weinert
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The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 967, A bill to be entitled "An Act making an appropriation of the sum of Four Hundred and Twenty-five Thousand Dollars (\$425,000) or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to pay the contingent expenses, etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

## House Bill 967 on Third Reading

The constitutional rule requiring bills to be read on three several days having been suspended, the President laid H. B. No. 967 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—29

Aikin	McDonald
Ashley	Moffett
Bracewell	Moore
Colson	Owen
Corbin	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Willis

## Absent—Excused

Wagonseller	Weinert
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## House Bill 941 Re-referred

On motion of Senator Lane, and by unanimous consent, H. B. No. 941 was withdrawn from the Committee on Civil Jurisprudence and re-referred to the Committee on Counties and County Boundaries.

## House Bill 301 on Second Reading

On motion of Senator Moffett, and by unanimous consent, the regular order of business was suspended to

take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 301, Re-appropriating unexpended balances to Soil Conservation Districts, etc., and declaring an emergency.

The bill was read second time and was passed to third reading:

#### House Bill 301 on Third Reading

Senator Moffett moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 301 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—29

Aikin	McDonald
Ashley	Moffett
Bracewell	Moore
Colson	Owen
Corbin	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Willis

#### Absent—Excused

Wagonseller      Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—29

Aikin	McDonald
Ashley	Moffett
Bracewell	Moore
Colson	Owen
Corbin	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Willis

#### Absent—Excused

Wagonseller      Weinert

#### House Bill 570 on Second Reading

On motion of Senator Rogers of Travis, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 570, A bill to be entitled "An Act to amend Section 30, Chapter 4, page 602, Acts 1939, Forty-sixth Legislature, Regular Session, by adding Subsection (a) to provide for a physical examination of the motor numbers, serial numbers, or permanent identification numbers of all motor vehicles last registered, titled or used in any other state or country; providing that the examinations be made by duly constituted peace officers; providing that the peace officer's certifications of said numbers be made a part of the evidence filed with the applications for certificates of title of said vehicles; providing a saving clause as to the constitutionality; repealing all laws in conflict herewith; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 570 on Third Reading

Senator Rogers of Travis moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 570 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—27

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
McDonald	Willis

#### Nays—2

Hardeman      Martin



## Absent—Excused

Wagonseller      Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—27

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
McDonald	Willis

## Nays—2

Hardeman      Martin

## Absent—Excused

Wagonseller      Weinert

## House Bill 875 on Second Reading

On motion of Senator Bracewell, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 875, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article 16 of the Constitution, to be known as 'South Main Street Municipal Water District,' setting forth certain powers of said district; providing for an election; enacting other provisions relating to the subject; and declaring an emergency."

The bill was read second time.

Senator Bracewell offered the following committee amendment to the bill:

Amend Section 1 of House Bill 875 by striking out all language following "Section 1." and inserting in lieu thereof the following:

"Under and pursuant to the provisions of Article 16, Section 59, of the Constitution, a conservation and

reclamation district is hereby created and incorporated subject to a vote of the qualified voters in the area described in Harris County, Texas, to be known as South Main Street Municipal Water District, hereinafter sometimes referred to as the 'District.' The boundaries thereof shall be as follows:

An area consisting of 1,609 acres, more or less, or 2.5 square miles, situated in Harris County and including all or parts of the J. B. Murphy Survey, Abstract 581, the C. W. Adams Survey, Abstract 101, the H. T. & B. Ry. Survey, Abstract 395, the B. B. B. & C. Ry. Survey, Abstract 184, and the H. T. Fitzhugh Survey, Abstract 1547, and more particularly described as follows:

Beginning at the northwest corner of the J. B. Murphy Survey, Abstract 581, same being the northeast corner of the W. J. Fox Survey, Abstract 1616, and also a point in the south boundary of the M. Friedenhaus Survey, Abstract 1260, for a corner,

Thence bearing east along the north boundary of the J. B. Murphy Survey, Abstract 581, same being the south boundary of the M. Friedenhaus Survey, Abstract 1260, and also being the south boundary of the D. Elliott Survey, Abstract 1071, for a distance of 6,187.2 feet, more or less, to the east right-of-way line of Haviland Street, a street situated in the J. B. Murphy Survey, Abstract 581, for a corner,

Thence bearing south along the east right-of-way line of Haviland Street, a street in the J. B. Murphy Survey, Abstract 581, for a distance 2,399 feet, more or less, to the intersection of said east right-of-way line of Haviland Street with the north right-of-way line of the Texas and New Orleans Railroad, as of this date, for a corner,

Thence bearing north 67°-22' east along the north right-of-way line of the Texas and New Orleans Railroad, as of this date, in the J. B. Murphy Survey, Abstract 581, for a distance of 1,476.5 feet, more or less, to the intersection of said line with the east boundary line of the J. B. Murphy Survey, Abstract 581, same being a point in the west boundary line of the J. Keating Survey, Abstract 503, for a corner,

Thence bearing south along the east boundary line of the J. B. Murphy Survey, Abstract 581, same being the west boundary line of the J. Keating Survey, Abstract 503, and a projection of same, south for a distance of

7,350 feet, more or less, to the intersection of said projected line with the south boundary line of the C. W. Adams Survey, Abstract 101, for a corner,

Thence bearing north  $89^{\circ}-30'$  west along the south boundary line of the C. W. Adams Survey, Abstract 101, same being the north boundary line of the A. B. Reeves Survey, Abstract 674, for a distance of 1,440 feet, more or less, to the southwest corner of the C. W. Adams Survey, Abstract 101, for a corner,

Thence bearing north along the west boundary line of the C. W. Adams Survey, Abstract 101, for a distance of 100 feet, more or less, to its intersection with the southeast corner of the H. T. & B. Ry. Survey, Abstract 395, for a corner,

Thence bearing south  $89^{\circ}-48'$  west along the south boundary line of the H. T. & B. Ry. Survey, Abstract 395, for a distance of 1,950 feet, more or less, to its intersection with the Harris County-Fort Bend County Line for a corner,

Thence bearing north  $61^{\circ}-00'$  west along the Harris County-Fort Bend County Lines, for a distance of 6,640 feet, more or less, to its intersection with the north right-of-way line of U. S. Highway 59 and 90-A, in the B. B. B. & C. Ry. Survey, Abstract 184, for a corner,

Thence bearing north  $67^{\circ}-22'$  east along the north right-of-way line of U. S. Highway 59 and 90-A for a distance of 2,520 feet, more or less, to the intersection of said line with the east boundary line of the H. Fitzhugh Survey, Abstract 1547, same being a point in the west boundary line of the H. T. & B. Ry. Survey, Abstract 395, for a corner,

Thence bearing north along the east boundary line of the H. Fitzhugh Survey, Abstract 1547, same being the west boundary line of the H. T. & B. Ry. Survey, Abstract 395, for a distance of 1,070 feet, more or less, to the northeast corner of the H. Fitzhugh Survey, Abstract 1547, same being the northwest corner of the H. T. & B. Ry. Survey, Abstract 395, and a point in the south boundary of the J. B. Murphy Survey, Abstract 581, for a corner,

Thence bearing west along the north boundary of the H. Fitzhugh Survey, Abstract 1547, same being the south boundary of the J. B. Murphy Survey, Abstract 581, for a distance of 600 feet, more or less, to the intersection of said line with the southeast corner of the W. J. Fox Survey, Abstract

1616, same being the southwest corner of the J. B. Murphy Survey, Abstract 581, for a corner,

Thence bearing north along the west boundary of the J. B. Murphy Survey, Abstract 581, same being the east boundary of the W. J. Fox Survey, Abstract 1616, for a distance of 3,731.33 feet, more or less, to the northwest corner of the J. B. Murphy Survey, Abstract 581, same being the northeast corner of the W. J. Fox Survey, Abstract 1616, and a point in the south boundary of the M. Friedenhau Survey, Abstract 1260, for a corner and point of beginning."

The committee amendment was adopted.

Senator Bracewell offered the following committee amendment to the bill:

Amend H. B. 875 by striking out Section 3 thereof and substituting the following:

"Section 3. The management and control of the district is hereby vested in a Board of five (5) Directors which shall have all of the powers and authority conferred and imposed upon Boards of Directors of water control and improvement districts organized under the provisions of Chapter 25, Acts of the 39th Legislature passed in 1925 and amendments thereto, as incorporated in Title 128, Chapter 3A, of Vernon's Civil Statutes of the State of Texas, and amendments thereto. The State Board of Water Engineers shall be authorized to appoint a temporary Board of Directors of such District for the purpose of performing the necessary functions for the calling and conducting of the Election, which temporary Board of Directors shall serve until Directors are elected and qualified for the District as provided herein. In the event any of said temporary directors, for any reason, is unable or refuses to serve, the State Board of Water Engineers of Texas is hereby authorized and directed to fill such vacancy by appointing a duly qualified successor to serve until the first election of directors. Said temporary Board of Directors shall meet and organize as is provided by general law. Said temporary Board of Directors shall occupy the same status as a board of directors appointed by the State Board of Water Engineers upon the creation of a water control and improvement district by said State Board, except as provided herein, and with the exception of said temporary Board of

Directors, the Board of Directors shall be selected as is provided by general law for water control and improvement districts. The first election of directors of such District shall be held in accordance with the provisions of Section 37 of Chapter 25, Acts of the 39th Legislature, as amended by Section 6 of Chapter 107 of the Acts of the First Called Session of the 40th Legislature, as codified in Vernon's Texas Civil Statutes as Article 7880-37. Thereafter, directors of the District shall be chosen and elections for directors shall be held in accordance with the provisions of the general laws relating to water control and improvement districts.

The committee amendment was adopted.

Senator Bracewell offered the following committee amendment to the bill:

Amend House Bill 875 by adding between Sections 2 and 3 a new Section to be known as Section 2A, reading as follows:

"Section 2A. In the event that the District, in the exercise of the power of eminent domain, or power of relocation, or any other power granted hereunder, makes necessary the relocation, raising, re-routing or changing the grade of, or altering the construction of any highway, railroad, electric transmission line, telephone or telegraph properties and facilities, or pipeline, all such necessary relocation, raising, re-routing, changing of grade or alteration of construction shall be accomplished at the sole expense of the District."

The committee amendment was adopted.

Senator Bracewell offered the following committee amendment to the bill:

Amend House Bill 875 by striking out Section 6 thereof and substituting the following:

"Section 6. However, the District created by this Act shall not exercise any of the power or authority conferred by this Act unless and until the establishment of such District and the appointment of the temporary Board of Directors is confirmed at an election held throughout the District. After the passage of this Act the Board of Water Engineers of the State of Texas shall order an election to be held throughout the District,

at which election there shall be submitted the question of whether or not the establishment of such District and the appointment of the temporary Board of Directors shall be confirmed. Notice of such election shall be published in a newspaper of general circulation throughout such District once each week for two consecutive weeks, the first publication to be not less than thirty (30) days prior to the date of the election. The Board of Water Engineers shall appoint a presiding judge in each of the voting places and authorize such presiding judge to employ necessary judges and clerks to assist him in holding the election. Only qualified property taxpaying voters who reside in the District shall be qualified to vote in such election. If a majority of the votes cast at such election are in favor of confirmation, after being canvassed by the Board of Water Engineers, said Board shall so declare, and thereafter the said District shall have all the power and authority conferred by this Act. Provided, however, that if the majority of those voting at such election vote against confirmation of the powers of the District, no further elections shall be held and all the rights and powers granted by this Act shall terminate."

The committee amendment was adopted.

On motion of Senator Bracewell, and by unanimous consent, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to third reading.

#### House Bill 875 on Third Reading

Senator Bracewell moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and H. B. No. 875 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Kazen
Ashley	Kelley
Bracewell	Lane
Colson	Latimer
Corbin	Lock
Fly	Martin
Fuller	McDonald
Hardeman	Moffett
Hazlewood	Moore

Owen	Rogers of Travis
Parkhouse	Secrest
Phillips	Shireman
Ratliff	Strauss
Roberts	Willis
Rogers	
of Childress	

Absent—Excused

Wagonseller      Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	McDonald
Ashley	Moffett
Bracewell	Moore
Colson	Owen
Corbin	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Willis

Absent—Excused

Wagonseller      Weinert

**House Bill 630 on Second Reading**

On motion of Senator Rogers of Travis, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 630, A bill to be entitled "An Act imposing an excise tax upon the sale of radios and television sets equal to three per cent of the retail value thereof with certain exemptions; defining terms used in Act; requiring licensed retailer to collect said tax for the State of Texas upon the sale or distribution of radios and television sets in Texas, and requiring tax to be added to selling price, etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

**Record of Vote**

Senator Martin asked to be re-

corded as voting "nay" on the passage of H. B. No. 630 to third reading.

**Motion to Place  
House Bill 630 on Third Reading**

Senator Rogers of Travis moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 630 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

Yeas—14

Ashley	Ratliff
Bracewell	Rogers
Colson	of Childress
Kazen	Rogers of Travis
Lane	Secrest
Lock	Shireman
McDonald	Willis
Moffett	

Nays—7

Fuller	Parkhouse
Hardeman	Roberts
Latimer	Strauss
Martin	

Absent

Aikin	Kelley
Corbin	Moore
Fly	Owen
Hazlewood	Phillips

Absent—Excused

Wagonseller      Weinert

**House Bill 673 on Second Reading**

On motion of Senator Secrest, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 673, A bill to be entitled "An Act requiring insurance companies to maintain in force a stated minimum amount of insurance written by them or acquired through re-insurance contracts; making certain exceptions; providing for forfeiture of charter, certificate of authority, etc., of any insurer failing to comply with this requirement; providing for severability; and declaring an emergency."

The bill was read second time.

Senator Secrest offered the following committee amendment to the bill:

Amend House Bill 673 by inserting in Section 1 of Article 21.44 after the words "policy holders" and before the words "nor less than" the following: "or certificate holders"

The committee amendment was adopted.

On motion of Senator Secrest, and by unanimous consent, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to third reading.

#### House Bill 673 on Third Reading

Senator Secrest moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 673 be placed on its third reading and final passage.

The motion prevailed by the following vote:

##### Yeas—22

Bracewell	Moore
Colson	Parkhouse
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Martin	Strauss
McDonald	Willis
Moffett	

##### Absent

Aikin	Lock
Ashley	Owen
Corbin	Phillips
Hazlewood	

##### Absent—Excused

Wagonseller	Weinert
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Senate Bill 42 on Second Reading

On motion of Senator Rogers of Childress, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 42, A bill to be entitled "An Act making an emergency appropriation to the State Department of Agriculture for the operating expenses incurred in the enforcement of the provisions of Senate Bill No. 215, Fifty-third Legislature, Regular Session, for the remainder of the fiscal year ending August 31, 1955; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 42 on Third Reading

Senator Rogers of Childress moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 42 be placed on its third reading and final passage.

The motion prevailed by the following vote:

##### Yeas—21

Bracewell	McDonald
Colson	Moffett
Fly	Moore
Fuller	Parkhouse
Hardeman	Ratliff
Kazen	Rogers
Kelley	of Childress
Lane	Rogers of Travis
Latimer	Secrest
Lock	Shireman
Martin	Willis

##### Absent

Aikin	Owen
Ashley	Phillips
Corbin	Roberts
Hazlewood	Strauss

##### Absent—Excused

Wagonseller	Weinert
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

##### Yeas—22

Ashley	McDonald
Bracewell	Moffett
Colson	Moore
Fly	Parkhouse
Fuller	Ratliff
Hardeman	Roberts
Kazen	Rogers
Kelley	of Childress
Lane	Rogers of Travis
Latimer	Secrest
Lock	Shireman
Martin	

**Absent**

Aikin	Phillips
Corbin	Strauss
Hazlewood	Willis
Owen	

**Absent—Excused**

Wagonseller	Weinert
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**House Bill 26 Re-referred**

On motion of Senator Martin, and by unanimous consent, H. B. No. 26 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Public Buildings and Grounds.

**Bills Signed**

The President signed in the presence of the Senate, after the captions had been read, the following enrolled bills:

S. B. No. 52, A bill to be entitled "An Act relating to the sale of pre-arranged or prepaid funeral services or funeral merchandise to be delivered at an undetermined future date dependent upon the death of the contracting party, and handling of money collected under such contracts; placing the administration of the Act under the Secretary of State; prescribing certain offenses and fixing the penalty therefor; making an appropriation; and declaring an emergency."

S. B. No. 4, A bill to be entitled "An Act to amend Senate Bill No. 350, Acts of the 36th Legislature, R. S., 1919, ch. 155, p. 285 (Article 6029, V.C.S.), as amended, by adding a new section thereto, to be known as Article 6029a authorizing the Railroad Commission of Texas to make and enforce rules, regulations, and orders in connection with the drilling of exploratory wells and wells for oil or gas and abandoned wells, to prevent pollution of the streams and watercourses of this State, including subsurface waters, which results from the escape or release of crude petroleum oil or salt water and other mineralized waters from such wells; providing reports of uncapped wells and declaring an emergency."

**Report of Special Committee**

Senator Ashley submitted the following report:

Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, Lieutenant Governor of Texas and President of the Senate

and

Hon. Jim Lindsey, Speaker of the House of Representatives.

Sirs: We, your committee appointed pursuant to S. C. R. No. 7 to select a Poet Laureate for the State of Texas, have met and beg leave to report that we have selected Dr. P. B. Hill of Hunt, Kerr County, Texas, to be Poet Laureate of the State of Texas.

Respectfully submitted,

ASHLEY

FLY

On the part of the Senate.

STILWELL

WHITE

On the part of the House.

SHIVERS

On the part of the Governor.

The report was read and was adopted.

**House Concurrent Resolution 190 on Second Reading**

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 190, Requesting the return of H. B. No. 888 from the Governor's desk to the House for correction.

The resolution was read the second time and was adopted.

**Senate Resolution 427**

Senator Martin offered the following resolution:

Whereas, We are honored today to have in the gallery the Senior Class of Bynum, Texas, accompanied by Mrs. Homer M. Spence; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens is here to observe and learn firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of

the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Martin by unanimous consent presented the students and Mrs. Spence to the Members of the Senate.

#### Adjournment

On motion of Senator Lane the Senate at 5:10 o'clock p. m. adjourned until 10:30 o'clock a. m. on Monday, June 6, 1955.

### SEVENTY-FOURTH DAY

(Monday, June 6, 1955)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	McDonald
Ashley	Moffett
Bracewell	Moore
Colson	Owen
Corbin	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagon seller
Lock	Weinert
Martin	Willis

#### Absent—Excused

Roberts                      Rogers of Travis

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"We thank Thee, O God, for men and women whose lives illustrate those virtues that make life pure and powerful, those who have learned from a Teacher sent from God how to live, how to love, how to suffer and to die. Teach us how to adorn these truths that our lives may be beautiful before Thee. For Christ's sake. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of

Friday, June 3, 1955 was dispensed with and the Journal was approved.

#### Leaves of Absence

Senator Roberts was granted leave of absence for today and remainder of the week on account of being called to active duty in the Navy on motion of Senator Hardeman.

Senator Rogers of Travis was granted leave of absence for today on account of important business on motion of Senator Aikin.

#### Report of Standing Committee

Senator Latimer submitted the following committee report for Senator Roberts:

Austin, Texas,  
June 3, 1955.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Public Buildings and Grounds, to whom was referred H. B. No. 26, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ROBERTS, Chairman.

#### Senate Concurrent Resolution 83

Senator Hazlewood offered the following resolution:

S. C. R. No. 83, Requesting Texas Legislative Council to study small loan business in Texas.

Whereas, It has come to the attention of the Legislature of the State of Texas that the citizens of this State are in many instances being charged illegal and usurious interest rates on small loans; and

Whereas, It appears that there is not sufficient law now in force in this State regulating or punishing loan brokers who willfully violate the laws of this State and that persons in this business are taking advantage of the wage-earner borrowers by charging high and usurious rates of interest; and

Whereas, The Senate, the House of Representatives concurring, desires the Texas Legislative Council to make